

WEDNESDAY, APRIL 20, 2016

SIXTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Reverend Jerry Crisp, Union Hill Baptist Church, Whiteville, TN.

Representative Shaw led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 89

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Lundberg; military service

Representative Calfee; personal

PRESENT IN CHAMBER

Reps. M. Hill and Womick were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

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House Resolution No. 297 Rep. Clemmons as prime sponsor.

House Resolution No. 298 Rep. Williams as prime sponsor.

House Resolution No. 300 Rep. Pody as prime sponsor.

House Resolution No. 301 Reps. Reedy and Johnson as prime sponsors.

House Joint Resolution No. 758 Rep. Armstrong as prime sponsor.

House Joint Resolution No. 839 Reps. Clemmons, Armstrong, Akbari, Hardaway and Powell as prime sponsors.

House Joint Resolution No. 1070 Rep. Byrd as prime sponsor.

House Bill No. 576 Rep. Hardaway as prime sponsor.

House Bill No. 587 Reps. Swann, Wirgau, McDaniel, Halford, Eldridge, H. Brooks, Dunn, Holsclaw, McCormick, Ramsey, Powell, Forgety, McManus, K. Brooks, Sargent, Camper, Akbari, Casada, Byrd, Shaw, Hardaway, Butt and Parkinson as prime sponsors.

House Bill No. 678 Reps. Terry, Zachary, Travis, C. Sexton and Byrd as prime sponsors.

House Bill No. 721 Reps. Gravitt, Sanderson, Parkinson, Lynn and Littleton as prime sponsors.

House Bill No. 985 Rep. Sparks as prime sponsor.

House Bill No. 1270 Reps. Parkinson and Clemmons as prime sponsors.

House Bill No. 1365 Rep. McCormick as prime sponsor.

House Bill No. 1479 Rep. Smith as prime sponsor.

House Bill No. 1514 Reps. K. Brooks, Parkinson, Powell, Dunlap, Johnson, McManus, Byrd, Littleton and Akbari as prime sponsors.

House Bill No. 1536 Reps. Clemmons, Halford, Sparks, Hardaway, Doss, Smith and Williams as prime sponsors.

House Bill No. 1652 Reps. Lynn, Littleton, Hardaway, Powell, Parkinson, Mitchell and Terry as prime sponsors.

House Bill No. 1694 Reps. Hardaway, M. White and Love as prime sponsors.

House Bill No. 1730 Rep. Clemmons as prime sponsor.

House Bill No. 1731 Rep. Clemmons as prime sponsor.

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House Bill No. 1736 Reps. Weaver, Windle, Kumar, Rogers, Lynn, J. Sexton and Byrd as prime sponsors.

House Bill No. 1749 Reps. Todd, Moody, Zachary, Weaver, Littleton, Eldridge, Butt, Durham, Pody, Holsclaw and Sparks as prime sponsors.

House Bill No. 1824 Reps. Hazlewood, Weaver and Hardaway as prime sponsors.

House Bill No. 1882 Rep. Sparks as prime sponsor.

House Bill No. 1960 Reps. Gilmore, Cooper, Fitzhugh, Parkinson and Hardaway as prime sponsors.

House Bill No. 2029 Rep. Clemmons as prime sponsor.

House Bill No. 2088 Reps. Powell and Armstrong as prime sponsors.

House Bill No. 2142 Reps. Coley, Faison, Pody and H. Brooks as prime sponsors.

House Bill No. 2201 Reps. Terry, Hazlewood, Holt, Hardaway and Lynn as prime sponsors.

House Bill No. 2370 Reps. Parkinson, Hardaway, Byrd, C. Sexton, Moody, Zachary, Fitzhugh, Love, Dunlap, Windle, Eldridge, Gilmore, Clemmons, Weaver and Sparks as prime sponsors.

House Bill No. 2530 Reps. Parkinson, Hardaway, Turner and Sparks as prime sponsors.

MESSAGE FROM THE SENATE

April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2190; The Senate nonconcurred in House Amendment No(s). HA#1 & HA#2

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 809, 812, 813, 814, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 833, 834 and 835; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 809 -- Memorials, Interns - Blake Patrick Connolly. by *Briggs, *Bailey.

Senate Joint Resolution No. 812 -- Memorials, Retirement - Bill Taliaferro. by *Ramsey, *Watson, *Norris, *Ketron, *Harris, *Yarbro, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Massey, *McNally, *Niceley, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager.

Senate Joint Resolution No. 813 -- Memorials, Death - Webb F. Banks. by *Gresham, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

Senate Joint Resolution No. 814 -- Memorials, Interns - Thomas Allan Murphy. by *Norris.

Senate Joint Resolution No. 816 -- Memorials, Public Service - Jeff Puckett, Deputy Director, Tennessee Bureau of Investigation. by *McNally.

Senate Joint Resolution No. 817 -- Memorials, Public Service - Macon County first responders. by *Beavers.

Senate Joint Resolution No. 818 -- Memorials, Academic Achievement - Cameron Reid, Salutatorian, Cheatham County Central High School. by *Roberts.

Senate Joint Resolution No. 819 -- Memorials, Academic Achievement - Samantha Lynn Drury, Valedictorian, Cheatham County Central High School. by *Roberts.

Senate Joint Resolution No. 820 -- Memorials, Academic Achievement - Kensley Nash, Valedictorian, Upperman High School. by *Bailey.

Senate Joint Resolution No. 821 -- Memorials, Academic Achievement - Matthew Winsett, Salutatorian, Upperman High School. by *Bailey.

Senate Joint Resolution No. 822 -- Memorials, Academic Achievement - Macey Davis, Valedictorian, Monterey High School. by *Bailey.

Senate Joint Resolution No. 823 -- Memorials, Academic Achievement - Brendon Wood, Salutatorian, Monterey High School. by *Bailey.

Senate Joint Resolution No. 824 -- Memorials, Academic Achievement - Allison Marie Graham, Valedictorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 825 -- Memorials, Academic Achievement - Jacob Ryan Hayes, Salutatorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 826 -- Memorials, Academic Achievement - Chelsea Marissa Moore, Salutatorian, White County High School. by *Bailey.

Senate Joint Resolution No. 827 -- Memorials, Academic Achievement - Megan Elizabeth Holland, Valedictorian, White County High School. by *Bailey.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement - Nathan G. Stine, Salutatorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 829 -- Memorials, Academic Achievement - Aric T. Moilanen, Valedictorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 830 -- Memorials, Interns - Emory Chaple. by *Ramsey.

Senate Joint Resolution No. 831 -- Memorials, Interns - Whitney Smith. by *Ramsey.

Senate Joint Resolution No. 833 -- Memorials, Interns - Michael Ryan Hester. by *Bowling.

Senate Joint Resolution No. 834 -- Memorials, Interns - Harold Mitchell. by *Kyle.

Senate Joint Resolution No. 835 -- Memorials, Death - Dr. Bill Byrne. by *Kyle.

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 836, 837, 838 and 839; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 836 -- Memorials, Recognition - Tennessee Economic Council on Women. by *Kyle.

Senate Joint Resolution No. 837 -- Memorials, Recognition - Waynesboro Health and Rehabilitation Center, 2015 Bronze - Commitment to Quality Award. by *Hensley.

Senate Joint Resolution No. 838 -- Memorials, Recognition - Colonel James E. Stone (retired), Cannon County Veteran of the Year. by *Beavers.

Senate Joint Resolution No. 839 -- Memorials, Recognition - Lions Clubs International. by *Beavers, *Ketron, *Tracy.

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 396; The Senate nonconcurred in House Amendment No(s). 2

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2248; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2399; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2119; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2087; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 841; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 841 -- Memorials, Retirement - Dr. James P. McIntyre, Jr. by *Massey, *Briggs, *McNally.

PERSONAL ORDERS

CHAIR TO SPEAKER PRO TEMP

Speaker Harwell relinquished the gavel to Speaker Pro Temp Johnson.

INTRODUCTION OF RESOLUTIONS

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

On motion, pursuant to **Rule No. 17**, the following resolutions listed, previously referred, were introduced:

House Resolution No. 252 -- General Assembly, Statement of Intent or Position - Requests that the secretary of the navy name the next commissioned naval ship the "USS Chattanooga" in honor of the victims of the July 16, 2015, terrorist attacks. by *Hazlewood.

***House Joint Resolution No. 839** -- General Assembly, Statement of Intent or Position - Urges state and local governmental agencies to enhance access to mental health services in the criminal justice system. by *Turner.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 21, 2016:

House Resolution No. 303 -- Memorials, Interns - Gabrielle Yasmeen Brooks. by *Akbari.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar No. 2 for April 20, 2016:

House Joint Resolution No. 1069 -- Memorials, Death - Webb Banks. by *Fitzhugh.

House Joint Resolution No. 1070 -- Memorials, Recognition - 155th anniversary reenactment of The Battle of Shiloh. by *Moody, *McDaniel.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 21, 2016:

Senate Joint Resolution No. 841 -- Memorials, Retirement - Dr. James P. McIntyre, Jr. by *Massey, *Briggs, *McNally.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 2 for April 20, 2016:

Senate Joint Resolution No. 809 -- Memorials, Interns - Blake Patrick Connolly. by *Briggs, *Bailey.

Senate Joint Resolution No. 812 -- Memorials, Retirement - Bill Taliaferro. by *Ramsey, *Watson, *Norris, *Ketron, *Harris, *Yarbro, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Massey, *McNally, *Niceley, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager.

Senate Joint Resolution No. 813 -- Memorials, Death - Webb F. Banks. by *Gresham, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

Senate Joint Resolution No. 814 -- Memorials, Interns - Thomas Allan Murphy. by *Norris.

Senate Joint Resolution No. 816 -- Memorials, Public Service - Jeff Puckett, Deputy Director, Tennessee Bureau of Investigation. by *McNally.

Senate Joint Resolution No. 817 -- Memorials, Public Service - Macon County first responders. by *Beavers.

Senate Joint Resolution No. 818 -- Memorials, Academic Achievement - Cameron Reid, Salutatorian, Cheatham County Central High School. by *Roberts.

Senate Joint Resolution No. 819 -- Memorials, Academic Achievement - Samantha Lynn Drury, Valedictorian, Cheatham County Central High School. by *Roberts.

Senate Joint Resolution No. 820 -- Memorials, Academic Achievement - Kensley Nash, Valedictorian, Upperman High School. by *Bailey.

Senate Joint Resolution No. 821 -- Memorials, Academic Achievement - Matthew Winsett, Salutatorian, Upperman High School. by *Bailey.

Senate Joint Resolution No. 822 -- Memorials, Academic Achievement - Macey Davis, Valedictorian, Monterey High School. by *Bailey.

Senate Joint Resolution No. 823 -- Memorials, Academic Achievement - Brendon Wood, Salutatorian, Monterey High School. by *Bailey.

Senate Joint Resolution No. 824 -- Memorials, Academic Achievement - Allison Marie Graham, Valedictorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 825 -- Memorials, Academic Achievement - Jacob Ryan Hayes, Salutatorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 826 -- Memorials, Academic Achievement - Chelsea Marissa Moore, Salutatorian, White County High School. by *Bailey.

Senate Joint Resolution No. 827 -- Memorials, Academic Achievement - Megan Elizabeth Holland, Valedictorian, White County High School. by *Bailey.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement - Nathan G. Stine, Salutatorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 829 -- Memorials, Academic Achievement - Aric T. Moilanen, Valedictorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 830 -- Memorials, Interns - Emory Chaple. by *Ramsey.

Senate Joint Resolution No. 831 -- Memorials, Interns - Whitney Smith. by *Ramsey.

Senate Joint Resolution No. 833 -- Memorials, Interns - Michael Ryan Hester. by *Bowling.

Senate Joint Resolution No. 834 -- Memorials, Interns - Harold Mitchell. by *Kyle.

Senate Joint Resolution No. 835 -- Memorials, Death - Dr. Bill Byrne. by *Kyle.

Senate Joint Resolution No. 836 -- Memorials, Recognition - Tennessee Economic Council on Women. by *Kyle.

Senate Joint Resolution No. 837 -- Memorials, Recognition - Waynesboro Health and Rehabilitation Center, 2015 Bronze - Commitment to Quality Award. by *Hensley.

Senate Joint Resolution No. 838 -- Memorials, Recognition - Colonel James E. Stone (retired), Cannon County Veteran of the Year. by *Beavers.

Senate Joint Resolution No. 839 -- Memorials, Recognition - Lions Clubs International. by *Beavers, *Ketron, *Tracy.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2666 -- Hardeman County - As introduced, subject to local approval, requires nonpartisan elections for county office. by *Jenkins.

House Bill No. 2667 -- Gallatin - As introduced, subject to local approval, prohibits mayor, district alderman, or alderman-at-large from serving a subsequent term in the same office if such person has served more than 1/2 of a four-year term and a consecutive complete four-year term in that particular office. - Amends Chapter 67 of the Private Acts of 1953; as amended. by *Weaver.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 35** -- Probation and Parole - As introduced, makes a person who commits vehicular homicide where alcohol or drugs were involved ineligible for probation. - Amends TCA Title 40, Chapter 35, Part 3. by *Overbey, *Bowling, *Gardenhire. (HB576 by *Carr)

***Senate Bill No. 47** -- Taxes, Income - As introduced, contingent upon revenue growth exceeding three percent in any fiscal year, reduces the Hall income tax until it reaches zero percent; for each rate reduction, increases the percentage of tax proceeds returned to local governments until it reaches 100 percent and decreases the percentage returned to the general fund until it reaches zero percent. - Amends TCA Title 67, Chapter 2. by *Green, *Yager, *Gresham, *Ketrone, *Tracy, *Bell, *Massey, *Crowe, *Gardenhire, *Bowling, *Bailey, *Jackson, *Beavers, *Roberts, *Watson, *Ramsey, *Kelsey, *Norris, *Haile, *Briggs, *Dickerson, *Overbey, *Hensley, *Niceley, *Southerland, *Stevens. (HB813 by *Sargent, *Matlock, *Haynes, *Kane, *Moody, *Littleton, *Brooks K, *Casada, *Sexton C, *Carter, *Travis, *Johnson, *Lynn, *Butt, *Sexton J, *Calfee, *Farmer, *Williams, *Lamberth, *Terry, *White D, *Alexander, *McCormick, *Todd, *Eldridge)

Senate Bill No. 593 -- Sentencing - As introduced, creates a new sentencing enhancement factor when the defendant committed the offense of robbery, aggravated robbery, or especially aggravated robbery on the premises of a licensed pharmacy in an effort to unlawfully obtain, sell, give, or exchange a controlled substance, controlled substance analogue, or other illegal drug. - Amends TCA Section 40-35-114. by *Haile. (*HB587 by *Shepard, *Todd)

Senate Bill No. 637 -- Criminal Procedure - As introduced, permits a court to order a qualified defendant to serve up to 11 months, 29 days in confinement as a reasonable condition of judicial diversion; permits the court to order such sentence be served by split confinement or periodic confinement. - Amends TCA Title 40. by *Johnson. (*HB203 by *Durham, *Lamberth)

***Senate Bill No. 899** -- Medical Occupations - As introduced, amends the provisions governing X-ray equipment operators to govern operators of all radiologic imaging and radiation therapy equipment. - Amends TCA Title 63, Chapter 6, Part 2. by *Bailey. (HB993 by *Sexton C)

Senate Bill No. 1682 -- Sexual Offenses - As introduced, increases penalty for offense of sexual contact by authority figure from Class A misdemeanor to Class E felony with a mandatory minimum \$1,000 fine if the minor is under 13 years of age. - Amends TCA Title 39 and Title 40. by *Bowling, *Gresham. (*HB1694 by *Coley)

***Senate Bill No. 1796** -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67, Chapter 5. by *Overbey, *McNally, *Norris, *Gresham, *Green, *Watson, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Haile, *Harper, *Harris, *Hensley,

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*Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager, *Yarbro, *Ramsey. (HB2156 by *Ragan, *Rogers, *Johnson, *Gravitt)

Senate Bill No. 1842 -- Hospitals and Health Care Facilities - As introduced, increases from 30 days to 45 days the period in which a health care institution must inform the health services development agency of a change of ownership. - Amends TCA Title 68. by *Gardenhire, *Watson. (*HB1730 by *Sexton C, *Daniel, *Matheny)

***Senate Bill No. 2051** -- Emergency Communications Districts - As introduced, extends the date by which TACIR shall report to the joint committee on government operations on the 911 surcharge and 911 system from September 15, 2017, to September 15, 2018. - Amends TCA Title 7, Chapter 86. by *Gardenhire, *Norris. (HB2192 by *Matheny, *Carter)

Senate Bill No. 2376 -- Education, Higher - As introduced, permits full-time employees of state public colleges or universities to carry a handgun while on property owned, operated, or used by the employing college or university if the employee has a valid Tennessee handgun carry permit. - Amends TCA Title 39 and Title 49. by *Bell, *Stevens, *Bailey, *Bowling, *Gardenhire, *Gresham, *Roberts. (*HB1736 by *Holt, *Moody, *Hill T, *Kane, *Powers, *Ragan, *Williams, *Gravitt, *Doss, *Holsclaw, *Goins, *Littleton, *Sanderson, *Sparks, *Zachary, *Butt, *VanHuss, *Hill M, *DeBerry, *Keisling, *McCormick, *Dunn, *Carter, *Casada, *Eldridge, *Reedy, *Carr, *Halford, *Durham)

Senate Bill No. 2582 -- Workers Compensation - As introduced, revises various workers' compensation and drug-free workplace provisions. - Amends TCA Title 50, Chapter 6 and Title 50, Chapter 9. by *Norris. (*HB2416 by *Lynn, *Casada)

CONSENT CALENDAR

***House Resolution No. 252** -- General Assembly, Statement of Intent or Position - Requests that the secretary of the navy name the next commissioned naval ship the "USS Chattanooga" in honor of the victims of the July 16, 2015, terrorist attacks. by *Hazlewood.

***House Joint Resolution No. 839** -- General Assembly, Statement of Intent or Position - Urges state and local governmental agencies to enhance access to mental health services in the criminal justice system. by *Turner, *Camper.

***Senate Joint Resolution No. 562** -- Memorials, Recognition - Commemorates Lao-American Three Headed Elephant Heritage and Freedom Flag in Tennessee. by *Tracy.

***Senate Joint Resolution No. 676** -- General Assembly, Statement of Intent or Position - Urges the TVA to reject a sunset provision that would require the removal of all floating homes from TVA lakes. by *Yager, *McNally.

***Senate Joint Resolution No. 678** -- General Assembly, Directed Studies - Directs the Tennessee Commission on Aging and Disability to conduct a study on the financial exploitation of vulnerable adults. by *Crowe.

House Resolution No. 289 -- Memorials, Recognition - Kimber Halliburton. by *Clemmons.

House Resolution No. 290 -- Memorials, Academic Achievement - Kenneth Pratcher, Salutatorian, Westwood High School. by *Turner.

House Resolution No. 291 -- Memorials, Academic Achievement - Darlecial Matthews, Valedictorian, Westwood High School. by *Turner.

House Resolution No. 292 -- Memorials, Academic Achievement - MarSriana Datta, Valedictorian, Fairly High School. by *Turner.

House Resolution No. 293 -- Memorials, Academic Achievement - Jose Perez-Loredo, Salutatorian, Fairley High School. by *Turner.

House Resolution No. 294 -- Memorials, Personal Occasion - Bertha Collier Powell, 100th birthday. by *Love.

House Resolution No. 295 -- Memorials, Recognition - Harbert Hills Nursing Home, 2015 Bronze-Commitment to Quality Award. by *Byrd.

House Resolution No. 296 -- Memorials, Interns - Ashley Hayes. by *Gilmore.

House Resolution No. 297 -- Memorials, Recognition - Academy for Women of Achievement, YWCA Nashville & Middle Tennessee. by *Gilmore.

House Resolution No. 298 -- Memorials, Public Service - Mary Watts. by *Sexton C.

House Resolution No. 299 -- Memorials, Recognition - Type 1 Diabetes (Juvenile Diabetes) Awareness Month, November 2016. by *Lynn.

House Resolution No. 300 -- Memorials, Recognition - Private Officer International Memorial Week. by *Lynn.

House Resolution No. 301 -- Memorials, Professional Achievement - Jay Head, national runner-up, 2016 American Farm Bureau Federation Young Farmers and Ranchers Achievement Award. by *Pitts.

House Joint Resolution No. 1041 -- Memorials, Recognition - The Daily News, Three First Place TAPME Awards. by *Camper.

House Joint Resolution No. 1042 -- Memorials, Retirement - Barbara H. Daush. by *Coley.

House Joint Resolution No. 1043 -- Memorials, Sports - New Center Middle School 7th and 8th grade boys' basketball team. by *Farmer, *Carr .

House Joint Resolution No. 1044 -- Memorials, Public Service - Representative Billy Spivey. by *Casada, *McCormick.

House Joint Resolution No. 1045 -- Memorials, Death - Obie L. Duncan. by *Byrd.

House Joint Resolution No. 1046 -- Memorials, Death - Senator Gene Elsea. by *Travis.

House Joint Resolution No. 1047 -- Memorials, Academic Achievement - Logan Markham, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1048 -- Memorials, Academic Achievement - Kaitlyn Price, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1049 -- Memorials, Academic Achievement - Brookelyn Stewart, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1050 -- Memorials, Academic Achievement - Amy Marion, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1051 -- Memorials, Academic Achievement - Caleb Gunter, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1052 -- Memorials, Academic Achievement - Keifer Fleenor, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1053 -- Memorials, Academic Achievement - Christian Dalton, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1054 -- Memorials, Academic Achievement - Jonathan Perry, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1055 -- Memorials, Academic Achievement - Chase Collingsworth, Valedictorian, Hancock County High School. by *Hicks.

House Joint Resolution No. 1056 -- Memorials, Academic Achievement - Molly Ramsey, Salutatorian, Hancock County High School. by *Hicks.

House Joint Resolution No. 1057 -- Memorials, Academic Achievement - Braden Fisher, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1058 -- Memorials, Academic Achievement - Holden Fleenor, Top Ten Senior, Hancock County High School. by *Hicks.

House Joint Resolution No. 1059 -- Memorials, Academic Achievement - Marshall Overbey, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1060 -- Memorials, Academic Achievement - Ben Curtis, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1061 -- Memorials, Academic Achievement - Emily Long, Valedictorian, Clinch School. by *Hicks.

House Joint Resolution No. 1062 -- Memorials, Academic Achievement - Eli Crawford, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1063 -- Memorials, Academic Achievement - Sarah DeBord, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1064 -- Memorials, Academic Achievement - Alexandria Harp, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1065 -- Memorials, Academic Achievement - Michaela Brown, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1066 -- Memorials, Academic Achievement - Mekenna Johnson, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1067 -- Memorials, Academic Achievement - Emily Rhoton, Top Ten Senior, Volunteer High School. by *Hicks.

House Joint Resolution No. 1068 -- Memorials, Public Service - Representative Mike Harrison. by *Hicks.

Rep. Byrd moved that all members voting aye on House Resolution No. 295 and House Joint Resolution No. 1045 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Rep. Hazlewood moved that all members voting aye on House Resolution No. 252 be added as co-prime sponsors with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Rep. Lynn moved that all members voting aye on House Resolution No. 299 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton,

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from “present and not voting” to “aye” on the **Consent Calendar** and have this statement entered in the Journal: Rep. Womick.

RECOGNITION IN THE WELL

Rep. McCormick was recognized in the Well to discuss the procedure of the veto override.

REGULAR CALENDAR

***House Bill No. 623** -- Bail, Bail Bonds - As introduced, deletes provision permitting a court to revoke a defendant's bond and order the defendant held without bail pending trial if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial. - Amends TCA Title 40, Chapter 11. by *Farmer. (SB642 by *Gardenhire)

Further consideration of House Bill No. 623, previously considered on April 20, 2015, at which time it was held on the desk, March 21, 2016 and April 4, 2016, at which time it was reset for today's Calendar.

Rep. Marsh requested that House Bill No. 623 be moved down ten spaces on today's Calendar, which motion prevailed.

***House Bill No. 1479** -- Criminal Procedure - As introduced, specifies that in criminal cases a person designated by counsel for a party that is not a natural person and who is not excluded from courtroom by rules of evidence is not required to be called as first witness if court finds no prejudice to result. - Amends TCA Title 39 and Title 40. by *Lamberth, *Sanderson, *Towns. (SB1558 by *Norris, *Bell, *Kelsey)

Further consideration of House Bill No. 1479, previously considered on March 3, 2016, March 24, 2016 and April 7, 2016, at which time it was reset for today's Calendar.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Lamberth moved that House Bill No. 1479 be passed on third and final consideration.

Rep. Sanderson moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lamberth requested that House Bill No. 1479 be moved down ten spaces on today's Calendar, which motion prevailed.

***House Bill No. 2587** -- Annexation - As introduced, authorizes counties and municipalities to amend growth plans as often as necessary. - Amends TCA Title 6, Chapter 58. by *Todd. (SB2583 by *Norris)

Further consideration of House Bill No. 2587, previously considered on March 17, 2016 at which time it was held on the desk, and April 19, 2016, at which time it was reset for today's Calendar.

BILL HELD ON DESK

Rep. Todd moved that House Bill No. 2587 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1707** -- Holidays and Days of Special Observance - As introduced, establishes the day after Thanksgiving Day as Native American Heritage Day in Tennessee. - Amends TCA Title 15. by *Hardaway, *Casada, *Mitchell, *Towns, *Turner, *Parkinson. (SB1745 by *Crowe, *Harris, *Hensley, *Kyle, *Niceley)

Further consideration of House Bill No. 1707, previously objected to on the Consent Calendar for April 11, 2016, further considered on April 13, 2016, at which time it was held on the desk and April 19, 2016 at which time it was reset for today's Calendar.

Rep. Hardaway requested that House Bill No. 1707 be moved down three spaces on today's Calendar, which motion prevailed.

***House Bill No. 1484** -- School Transportation - As introduced, broadens the scope of the offense regarding a school bus driver using certain electronic devices while operating a bus with a child on board and increases the penalty for the offense. - Amends TCA Title 39 and Title 55. by *Smith, *Armstrong. (SB1596 by *Massey, *Jackson, *Yager, *Yarbro)

Further consideration of House Bill No. 1484, previously considered on April 19, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 1484 was made to conform with **Senate Bill No. 1596**; the Senate Bill was substituted for the House Bill.

Rep. Smith moved that Senate Bill No. 1596 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1596 by deleting subdivision (c)(1) in the amendatory language of SECTION 1 and substituting instead the following:

(1) Two-way radio communications, or any device used in a similar manner as two-way radio communications, made to and from a central dispatch, school transportation department, or its equivalent; or

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Smith moved that **Senate Bill No. 1596**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

***House Bill No. 1270** -- Victims' Rights - As introduced, adds victims of domestic assault, violation of an order of protection or restraining order, stalking, and domestic victims of vandalism and false imprisonment to those who receive victims' rights as set out in title 40,

chapter 38, part 3. - Amends TCA Title 40, Chapter 38. by *Hardaway, *Jones, *Akbari, *Love, *DeBerry, *Cooper, *Towns, *Miller, *Gilmore, *Turner. (SB1372 by *Kyle)

Rep. Hardaway requested that House Bill No. 1270 be moved down behind House Bill No. 1707 on today's Calendar, which motion prevailed.

***House Joint Resolution No. 758** -- General Assembly, Confirmation of Appointment - Confirms appointment of Dr. Kenneth C. Hill to serve a six-year term on the Tennessee Regulatory Authority, such term to expire June 30, 2020. by *Van Huss.

Rep. Van Huss moved adoption of **House Joint Resolution No. 758**, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 1707** -- Holidays and Days of Special Observance - As introduced, establishes the day after Thanksgiving Day as Native American Heritage Day in Tennessee. - Amends TCA Title 15. by *Hardaway, *Casada, *Mitchell, *Towns, *Turner, *Parkinson. (SB1745 by *Crowe, *Harris, *Hensley, *Kyle, *Niceley)

Further consideration of House Bill No. 1707, previously objected to on the Consent Calendar for April 11, 2016, further considered on April 13, 2016, at which time it was held on the desk, April 19, 2016 and today's Calendar.

Rep. Hardaway requested that House Bill No. 1707 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 1270** -- Victims' Rights - As introduced, adds victims of domestic assault, violation of an order of protection or restraining order, stalking, and domestic victims of vandalism and false imprisonment to those who receive victims' rights as set out in title 40, chapter 38, part 3. - Amends TCA Title 40, Chapter 38. by *Hardaway, *Jones, *Akbari, *Love, *DeBerry, *Cooper, *Towns, *Miller, *Gilmore, *Turner. (SB1372 by *Kyle)

Further consideration of House Bill No. 1270, previously considered on today's Calendar.

Rep. Hardaway moved that House Bill No. 1270 be passed on third and final consideration.

Rep. Carter moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1270 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) When a law enforcement officer responds to a report of a crime, and the crime is one (1) of the crimes listed in subsection (b), the officer shall ensure that the alleged victim is aware of the Tennessee statewide automated victim information and notification service created by title 40, chapter 38, part 5, provided by the Tennessee sheriffs' association. The officer shall provide written informational materials, if available, and briefly explain the purpose of the program and the requirements for participating. If the alleged victim is injured or otherwise unable to understand the officer, the officer shall leave materials, if available, on the notification system with the alleged victim.

(b) The offenses to which this section applies are:

(1) Domestic assault, as prohibited by § 39-13-111;

(2) Vandalism, as prohibited by § 39-14-408, or false imprisonment, as prohibited by § 39-13-302, where the victim of the offense is a domestic abuse victim, as defined in § 36-3-601(5);

(3) Violation of an order of protection or restraining order, as prohibited by § 39-13-113; and

(4) Stalking, as prohibited by § 39-17-315.

(c) Any law enforcement agency that does not already have written informational materials on the Tennessee statewide automated victim information and notification service shall, by July 1, 2016, obtain a supply from the victim witness coordinator in the district attorneys general office or from the Tennessee sheriffs' association.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Hardaway moved that **House Bill No. 1270**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

RECOGNITION IN WELL

Rep. McCormick was recognized in the Well and moved that the House take up the Motion to Override the Veto of House Bill No. 615 at 10:30 a.m., which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 813 -- Taxes, Income - As introduced, contingent upon revenue growth exceeding three percent in any fiscal year, reduces the Hall income tax until it reaches zero percent; for each rate reduction, increases the percentage of tax proceeds returned to local governments until it reaches 100 percent and decreases the percentage returned to the general fund until it reaches zero percent. - Amends TCA Title 67, Chapter 2. by *Sargent, *Matlock, *Haynes, *Kane, *Moody, *Littleton, *Brooks K, *Casada, *Sexton C, *Carter, *Travis, *Johnson, *Lynn, *Butt, *Sexton J, *Calfee, *Farmer, *Williams, *Lamberth, *Terry, *White D, *Alexander, *McCormick, *Todd, *Eldridge. (*SB47 by *Green, *Yager, *Gresham, *Ketron, *Tracy, *Bell, *Massey, *Crowe, *Gardenhire, *Bowling, *Bailey, *Jackson, *Beavers, *Roberts, *Watson, *Ramsey, *Kelsey, *Norris, *Haile, *Briggs, *Dickerson, *Overbey, *Hensley, *Niceley, *Southerland, *Stevens)

On motion, House Bill No. 813 was made to conform with **Senate Bill No. 47**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 47 be passed on third and final consideration.

Rep. Faison moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Alexander moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Spivey moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 47 by deleting SECTION 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 2, is amended by adding the following as a new section:

(a) The reduction to the rate of tax made by this act shall not absolve any taxpayer of liability for any tax duly levied by this chapter, during a tax year that began prior to January 1, 2016.

(b) Beginning in fiscal year 2015-2016 and subsequent fiscal years, on June 15 of each fiscal year, the commissioner of finance and administration, in consultation with the commissioner of revenue, shall determine whether state revenue growth exceeded an average of three percent (3%) over the previous fiscal year, and shall notify the governor, speaker of the senate, speaker of the house of representatives, and state treasurer in writing of such determination.

(c) Notwithstanding this chapter to the contrary, in any fiscal year in which the commissioner of finance and administration determines that state revenue growth exceeded an average of three percent (3%) over the previous fiscal year under subsection (b), the rate of tax upon income from stocks and bonds shall be adjusted by reducing the rate by one percent (1%) on January 1 for the following calendar year. The rate of taxation resulting from such one-percent reduction shall be the applicable rate for all subsequent calendar years and shall remain in effect until such time in subsequent calendar years when the growth formula specified in subsection (b) warrants a further reduction.

(d) As used in this section, "state revenue growth" means, for any fiscal year, the percentage increase in revenue derived from state taxes that are collected by the state and deposited into the general fund.

(e) The commissioner of revenue is authorized to promulgate rules as the commissioner may deem necessary to effectuate this section. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

Notwithstanding § 4-5-208 to the contrary, the commissioner is authorized to promulgate emergency rules to implement this section.

(f) On January 1 of any calendar year in which the sixth qualifying reduction occurs, the rate is zero percent (0.0%) and, on and after such date, no tax shall be imposed pursuant to this section; provided, that this subsection (f) shall not absolve any taxpayer of liability for any tax duly levied by this section during any taxpayer's tax year beginning prior to such date.

(g) It is the legislative intent that the general assembly eliminate the tax imposed by this chapter for tax years beginning on or after January 1, 2021.

Rep. Sargent requested that Senate Bill No. 47 be moved down five spaces on today's Calendar, which motion prevailed.

***House Bill No. 1824** -- Elder Abuse - As introduced, revises requirements for criminal background checks in certain health care facilities; convenes working groups on elder abuse by the department of human services, the commission on aging and disability, and the district attorney general conference. - Amends TCA Title 4; Title 33; Title 47; Title 68 and Title 71. by *Carr . (SB1848 by *Gardenhire, *Crowe, *Niceley, *Norris)

On motion, House Bill No. 1824 was made to conform with **Senate Bill No. 1848**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 1848 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 1848** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Butt, Byrd, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard,

Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 87

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from “not voting” to “aye” on the **Senate Bill No. 1848** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR, CONTINUED

House Bill No. 2029 -- Racing and Motor Sports - As introduced, creates the state horse racing advisory committee to develop recommendations for legislation related to the establishment of horse racing in this state. - Amends TCA Title 4. by *Faison, *Powell, *Miller, *Favors, *Towns. (*SB1738 by *Niceley)

On motion, House Bill No. 2029 was made to conform with **Senate Bill No. 1738**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1738 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1738** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	50
Noes.....	32
Present and not voting.....	6

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Carr, Carter, Casada, Clemmons, Cooper, Daniel, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hazlewood, Hicks, Holsclaw, Howell, Jenkins, Jernigan, Johnson, Jones, Kumar, Love, Marsh, Matheny, McDaniel, McManus, Miller, Parkinson, Powell, Ragan, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Shepard, Spivey, Swann, Todd, Towns, Travis, Williams, Wirgau -- 50

Representatives voting no were: Alexander, Brooks H., Byrd, Coley, Dunlap, Dunn, Hawk, Hill M., Hill T., Hulsey, Kane, Lamberth, Lollar, Lynn, Matlock, McCormick, Mitchell, Moody, Pitts, Pody, Rogers, Sexton J., Smith, Stewart, Turner, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary -- 32

Representatives present and not voting were: DeBerry, Durham, Littleton, Powers, Shaw, Sparks -- 6

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from “not voting” to “no” on the **Senate Bill No. 1738** and have this statement entered in the Journal: Rep. Holt.

REGULAR CALENDAR, CONTINUED

***House Bill No. 623** -- Bail, Bail Bonds - As introduced, deletes provision permitting a court to revoke a defendant's bond and order the defendant held without bail pending trial if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial. - Amends TCA Title 40, Chapter 11. by *Farmer. (SB642 by *Gardenhire)

Further consideration of House Bill No. 623, previously considered on April 20, 2015, at which time it was held on the desk, March 21, 2016, April 4 2016 and today's Calendar.

Rep. Todd requested that House Bill No. 623 be moved down ten spaces on today's Calendar, which motion prevailed.

***House Bill No. 1479** -- Criminal Procedure - As introduced, specifies that in criminal cases a person designated by counsel for a party that is not a natural person and who is not excluded from courtroom by rules of evidence is not required to be called as first witness if court finds no prejudice to result. - Amends TCA Title 39 and Title 40. by *Lamberth, *Sanderson, *Towns. (SB1558 by *Norris, *Bell, *Kelsey)

Further consideration of House Bill No. 1479, previously considered on March 3, 2016, March 24, 2016, April 7, 2016 and today's Calendar at which time the House withdrew Amendments Nos. 1 and 2.

Rep. Lamberth moved that the House consider House Amendment No. 3, which motion prevailed by the following vote:

Ayes	81
Noes.....	3

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Carr, Carter, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 81

Representatives voting no were: Camper, Hardaway, Parkinson -- 3

Rep. Lamberth moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1479 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-121, is amended by deleting subdivision (a)(1)(A), and substituting instead the following:

(A) As one (1) of its primary activities, the commission of criminal gang offenses;

SECTION 2. Tennessee Code Annotated, Section 40-35-121, is amended by deleting subsection (b) and substituting instead the following:

(b) A criminal gang offense committed by a defendant shall be punished one (1) classification higher than the classification established by the specific statute creating the offense committed if:

(1) The defendant was a criminal gang member at the time of the offense; and

(2) The criminal gang offense was committed at the direction of, in association with, or for the benefit of the defendant's criminal gang or a member of the defendant's criminal gang.

SECTION 3. Tennessee Code Annotated, Section 40-35-121, is amended by deleting subsection (e) and substituting instead the following:

(e) A criminal gang offense committed by a defendant shall be punished two (2) classifications higher than the classification established by the specific statute creating the offense committed if, at the time the offense was committed:

(1) The defendant was a criminal gang member;

(2) The defendant was also a leader or organizer of the criminal gang; and

(3) The offense was at the direction of, in association with, or for the benefit of the defendant's criminal gang or a member of the defendant's criminal gang.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Lamberth requested that House Bill No. 1479 be moved down twenty spaces on today's Calendar, which motion prevailed.

PRESENT IN CHAMBER

Rep. Farmer was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 47 -- Taxes, Income - As introduced, contingent upon revenue growth exceeding three percent in any fiscal year, reduces the Hall income tax until it reaches zero percent; for each rate reduction, increases the percentage of tax proceeds returned to local governments until it reaches 100 percent and decreases the percentage returned to the general fund until it reaches zero percent. - Amends TCA Title 67, Chapter 2. by *Green, *Yager, *Gresham, *Ketron, *Tracy, *Bell, *Massey, *Crowe, *Gardenhire, *Bowling, *Bailey, *Jackson, *Beavers, *Roberts, *Watson, *Ramsey, *Kelsey, *Norris, *Haile, *Briggs, *Dickerson, *Overbey, *Hensley, *Niceley, *Southerland, *Stevens. (*SB47 by *Sargent, *Matlock, *Haynes, *Kane, *Moody, *Littleton, *Brooks K, *Casada, *Sexton C, *Carter, *Travis, *Johnson, *Lynn, *Butt, *Sexton J, *Calfee, *Farmer, *Williams, *Lamberth, *Terry, *White D, *Alexander, *McCormick, *Todd, *Eldridge)

Further consideration of Senate Bill No. 47, previously considered on today's Calendar, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendments Nos. 1 and 2, and was on the motion to adopt House Amendment No. 3.

Rep. Sargent requested that Senate Bill No. 47 be moved down ten spaces, which motion prevailed.

House Bill No. 2663 -- Scott County - As introduced, subject to local approval, expands application of the hotel motel tax to include campgrounds in which rooms, lodgings, or accommodations are furnished to transients for a consideration. - Amends Chapter 144 of the Private Acts of 1983. by *Keisling. (*SB2688 by *Yager)

Rep. Keisling moved that **House Bill No. 2663** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes.....	6
Present and not voting.....	4

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Spivey,

Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 83

Representatives voting no were: Alexander, Daniel, Holt, Pody, Reedy, Todd -- 6

Representatives present and not voting were: Dunlap, Lynn, Powell, Windle -- 4

A motion to reconsider was tabled.

House Bill No. 2156 -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67, Chapter 5. by *Ragan, *Rogers, *Johnson, *Gravitt. (*SB1796 by *Overbey, *McNally, *Norris, *Gresham, *Green, *Watson, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager, *Yarbro, *Ramsey)

On motion, House Bill No. 2156 was made to conform with **Senate Bill No. 1796**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 1796 be passed on third and final consideration.

Rep. Wirgau requested that Local Government Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Alexander requested that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be placed at the heel of the amendments.

Rep. Fitzhugh moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1796 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-702, is amended by deleting the language "twenty-three thousand dollars (\$23,000)" wherever it appears and substituting instead the language "twenty-five thousand dollars (\$25,000)".

SECTION 2. Tennessee Code Annotated, Section 67-5-703, is amended by deleting the language "twenty-three thousand dollars (\$23,000)" wherever it appears and substituting instead the language "twenty-five thousand dollars (\$25,000)".

SECTION 3. Tennessee Code Annotated, Section 67-5-704, is amended by deleting subdivision (a)(2) and subsection (j).

SECTION 4. Tennessee Code Annotated, Section 67-5-704(a), is amended by deleting the language “one hundred thousand dollars (\$100,000)” wherever it appears and substituting instead the language “one hundred seventy-five thousand dollars (\$175,000)”.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Ragan requested that Senate Bill No. 1796 be moved down two spaces on today's Calendar, which motion prevailed.

House Bill No. 993 -- Medical Occupations - As introduced, amends the provisions governing X-ray equipment operators to govern operators of all radiologic imaging and radiation therapy equipment. - Amends TCA Title 63, Chapter 6, Part 2. by *Sexton C. (*SB899 by *Bailey)

On motion, House Bill No. 993 was made to conform with **Senate Bill No. 899**; the Senate Bill was substituted for the House Bill.

Rep. C. Sexton moved that Senate Bill No. 899 be passed on third and final consideration.

Rep. Williams moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Sexton moved that **Senate Bill No. 899** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 1729 -- Physicians and Surgeons - As introduced, revises provisions relating to the qualifications of an applicant for a license to practice medicine; authorizes the board of medical examiners to issue a temporary license to practice medicine to qualified international medical school graduates. - Amends TCA Title 63, Chapter 6. by *Sexton C. (*SB1580 by *Briggs, *Green, *Dickerson)

On motion, House Bill No. 1729 was made to conform with **Senate Bill No. 1580**; the Senate Bill was substituted for the House Bill.

Rep. C. Sexton moved that Senate Bill No. 1580 be passed on third and final consideration.

Rep. Williams moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1580 by inserting the following new section as a new Section 7 and renumbering the subsequent section accordingly:

SECTION 7. Tennessee Code Annotated, Section 63-6-207, is amended by adding the following language as a new subsection to be appropriately designated:

() The board is authorized in its discretion to issue limited licenses to physicians who have been out of clinical practice for an extended period of time or who have been, or are at the time of their application, engaged exclusively in administrative medicine. The board may promulgate rules prescribing any other conditions or requirements with respect to the issuance of a limited license pursuant to this subsection ().

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Williams moved adoption of Health Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1580 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding this act or the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5, any rule promulgated to implement the provisions of this act shall be provided to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate by the secretary of state, after approval by the attorney general and reporter, at the same time the text of the rule is made available to the government operations committees of the senate and the house of

representatives for purposes of conducting the review required by § 4-5-226 in order for the health committee of the house of representatives and the health and welfare committee of the senate to be afforded the opportunity to comment on the rule.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. C. Sexton moved that **Senate Bill No. 1580**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

Senate Bill No. 1796 -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67, Chapter 5. by *Overbey, *McNally, *Norris, *Gresham, *Green, *Watson, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager, *Yarbro, *Ramsey. (*HB2156 by *Ragan, *Rogers, *Johnson, *Gravitt)

Further consideration of Senate Bill No. 1796, previously considered on today's Calendar, at which time the House substituted the Senate Bill for the House Bill, rolled Amendments Nos 1 and 2 to the heel and was on the motion to adopt House Amendment No. 3.

Rep. Ragan requested that Senate Bill No. 1796 be moved down three places on today's Calendar, which motion prevailed.

***House Bill No. 1730** -- Hospitals and Health Care Facilities - As introduced, increases from 30 days to 45 days the period in which a health care institution must inform the health services development agency of a change of ownership. - Amends TCA Title 68. by *Sexton C, *Daniel, *Matheny. (SB1842 by *Gardenhire, *Watson)

On motion, House Bill No. 1730 was made to conform with **Senate Bill No. 1842**; the Senate Bill was substituted for the House Bill.

Rep. C. Sexton moved that Senate Bill No. 1842 be passed on third and final consideration.

Rep. Williams moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Alexander moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1842 by inserting the language "in the modalities provided by that facility" in subsection (p) of the amendatory language of Section 13 of the bill as amended between the language "College of Radiology" and "within a period".

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. C. Sexton moved that **Senate Bill No. 1842**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

MOTION TO OVERRIDE VETO

***House Bill No. 615** -- State Government - As introduced, designates the Holy Bible as the official state book. - Amends TCA Title 4, Chapter 1. by *Sexton J, *Byrd, *Weaver, *Goins, *Van Huss, *Hill T, *Holt, *Lollar, *Matlock, *Matheny, *Spivey, *Holsclaw, *Hill M, *Lamberth, *Womick, *Rogers, *Sparks, *Brooks K, *Dunn, *Shepard, *Butt, *Reedy, *Powers, *Calfee, *Doss, *Shaw, *Eldridge, *Keisling, *Hawk, *Windle, *Wirgau, *Moody, *Kane, *White M, *White D, *Wilburn, *DeBerry, *Casada, *Carr, *Johnson, *Littleton, *Sargent, *Harrison, *McDaniel, *Howell, *Brooks H, *Kumar, *Pody, *Lynn, *Coley, *Terry, *Carter, *Towns, *Alexander, *Todd, *Dunlap. (SB1108 by *Southerland, *Bailey, *Beavers, *Bell, *Bowling, *Crowe, *Gresham, *Jackson, *Johnson, *Ketron, *McNally, *Niceley, *Tracy, *Hensley)

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 615

April 14, 2016

The Honorable Beth Harwell
Speaker of the House
301 6th Avenue North
Legislative Plaza, Suite 19
Nashville, TN 37243

Re: House Bill 615

Dear Speaker Harwell,

I am vetoing House Bill 615, the legislation designating The Holy Bible as the official state book.

As you know, last year the Attorney General opined that designating The Holy Bible as the official state book of Tennessee would violate the Establishment Clause of the First Amendment to the Federal Constitution and Article I, § 3, of the Tennessee Constitution, which provides that “no preference shall ever be given, by law, to any religious establishment or mode of worship.”

In addition to the constitutional issues with the bill, my personal feeling is that this bill trivializes the Bible, which I believe is a sacred text. If we believe that the Bible is the inspired word of God, then we shouldn't be recognizing it only as a book of historical and economic significance. If we are recognizing the Bible as a sacred text, then we are violating the Constitution of the United States and the Constitution of the State of Tennessee by designating it as the official state book. Our founders recognized that when the church and state were combined, it was the church that suffered in the long run.

I strongly disagree with those who are trying to drive religion out of the public square. All of us should and must bring our deepest beliefs to the places we are called, including government service. Men and women motivated by faith have every right and obligation to bring their belief and commitment to the public debate. However, that is very different from the governmental establishment of religion that our founders warned against and our Constitution prohibits.

For these reasons, I am vetoing House Bill 615.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Respectfully,

Governor Bill Haslam

cc: The Honorable Ron Ramsey, Lieutenant Governor and Speaker of the Senate
The Honorable Members of the 109th General Assembly

NOTICE TO OVERRIDE VETO

Rep. J. Sexton filed the following written notice with the Clerk's office and asked the Clerk to read the same:

SPEAKER: I hereby file notice under House Rule No. 78 that I will move to repass House Bill 615, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

/s/ Representative Jerry Sexton
This, the 18th day of April, 2016

POINT OF ORDER

Rep. Womick moved that the House take the roll to establish a quorum, which motion prevailed with the following results:

Present..... 96

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 96

MOTION TO OVERRIDE VETO, CONTINUED

Rep. J. Sexton moved that House Bill No. 615 be passed on third and final consideration notwithstanding the objections of the Governor, pursuant to Article 3, Section 18 of the Constitution of the State of Tennessee.

Rep. Faison moved that debate be limited to two minutes on House Bill No. 615.

Rep. Faison withdrew the motion to limit debate.

4078

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Rep. Marsh moved the previous question, which motion failed by the following vote:

Ayes	26
Noes.....	68

Representatives voting aye were: Brooks H., Brooks K., Carr, Carter, Casada, Doss, Farmer, Forgety, Gravitt, Hazlewood, Hulsey, Johnson, Kane, Lamberth, Marsh, Matheny, McCormick, McManus, Ragan, Ramsey, Sargent, Swann, Travis, White D., Williams, Madam Speaker Harwell -- 26

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Butt, Byrd, Camper, Clemmons, Coley, Cooper, Daniel, DeBerry, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jenkins, Jernigan, Jones, Keisling, Littleton, Lollar, Love, Lynn, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Reedy, Rogers, Sanderson, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Terry, Towns, Turner, Van Huss, Weaver, White M., Windle, Wirgau, Womick, Zachary -- 68

POINT OF ORDER

Rep. McManus asked the Clerk to clarify the vote for overriding the veto. The Clerk stated a “yes” vote was to override the veto, a “no” vote was to uphold the veto, and a “present and not voting” was essentially to uphold the veto. To override the veto the body would need 50 votes in the affirmative.

MOTION TO OVERRIDE VETO, CONTINUED

Rep. Williams moved the previous question, which motion failed by the following vote:

Ayes	33
Noes.....	59
Present and not voting.....	1

Representatives voting aye were: Brooks H., Brooks K., Carr, Daniel, Doss, Farmer, Forgety, Gravitt, Hazlewood, Holsclaw, Howell, Hulsey, Jenkins, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McCormick, McDaniel, McManus, Ragan, Ramsey, Sargent, Swann, Todd, Travis, White D., Williams, Madam Speaker Harwell -- 33

WEDNESDAY, APRIL 20, 2016 – SIXTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Akbari, Beck, Butt, Byrd, Camper, Carter, Clemmons, Coley, Cooper, DeBerry, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holt, Jernigan, Jones, Kane, Love, Lynn, Matlock, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Terry, Towns, Turner, Van Huss, Weaver, White M., Windle, Wirgau, Womick, Zachary -- 59

Representatives present and not voting were: Armstrong -- 1

After further discussion, Rep. Gravitt moved the previous question, which motion failed by the following vote:

Ayes 54
Noes..... 40

Representatives voting aye were: Alexander, Brooks H., Brooks K., Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Farmer, Forgety, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Ragan, Ramsey, Reedy, Sanderson, Sargent, Shaw, Shepard, Sparks, Spivey, Swann, Todd, Travis, White D., White M., Williams, Womick, Zachary, Madam Speaker Harwell -- 54

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Goins, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Lollar, Love, Matlock, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Rogers, Sexton J., Smith, Stewart, Terry, Towns, Turner, Van Huss, Weaver, Windle, Wirgau -- 40

After further discussion, Rep. Rogers moved the previous question, which motion failed by the following vote:

Ayes 58
Noes..... 36
Present and not voting..... 1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Gravitt, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sparks, Spivey, Swann, Todd, Travis, Van Huss, White D., Williams, Womick, Madam Speaker Harwell - - 58

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Goins, Hardaway, Hill T., Jernigan, Jones, Love, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Terry, Towns, Turner, Weaver, White M., Windle, Wirgau, Zachary -- 36

Representatives present and not voting were: DeBerry -- 1

After further discussion, Rep. Todd moved the previous question, which motion prevailed.

Rep. J. Sexton moved that House Bill No. 615 be passed on third and final consideration, notwithstanding the objections of the Governor, which motion failed by the following vote:

Ayes	43
Noes.....	50
Present and not voting.....	4

Representatives voting aye were: Alexander, Brooks K., Butt, Byrd, Casada, Doss, Dunlap, Dunn, Durham, Eldridge, Goins, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Keisling, Kumar, Littleton, Lollar, Lynn, Matheny, Matlock, Moody, Pody, Powers, Reedy, Rogers, Sargent, Sexton J., Sparks, Spivey, Terry, Van Huss, Weaver, White D., Windle, Wirgau, Womick, Zachary -- 43

Representatives voting no were: Akbari, Armstrong, Beck, Brooks H., Camper, Carr, Carter, Clemmons, Cooper, Daniel, Faison, Farmer, Favors, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hazlewood, Jenkins, Jernigan, Johnson, Jones, Kane, Lamberth, Love, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Sanderson, Sexton C., Shaw, Shepard, Smith, Stewart, Swann, Towns, Travis, Turner, White M., Williams, Madam Speaker Harwell -- 50

Representatives present and not voting were: Coley, DeBerry, Fitzhugh, Todd -- 4

A motion to reconsider was tabled.

RECESS

On motion of Rep. McCormick, the House stood in recess until 1:15 p.m.

MESSAGE FROM THE SENATE April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2539; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2539 -- Taxes, Exemption and Credits - As introduced, establishes a tax credit equal to 33 percent of the value of investments made in certain companies by an "angel investor" against the angel investor's Hall income tax liability. - Amends TCA Title 67, Chapter 2.

4081

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

by *Norris, *Stevens, *Dickerson, *Watson. (*HB1536 by *McCormick, *Brooks K, *White M, *Powell, *Matlock)

MESSAGE FROM THE SENATE

April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 750; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 750** -- Economic and Community Development - As introduced, requires the department of economic and community development's annual report to the senate and house finance, ways and means committees on the Tennessee job skills program to also be submitted to the office of legislative budget analysis; authorizes the report to be submitted in electronic format. - Amends TCA Title 4; Title 6; Title 7; Title 8; Title 9; Title 11; Title 13; Title 50; Title 65 and Title 67. by *Watson, *Norris. (HB809 by *Hazlewood)

MESSAGE FROM THE SENATE

April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1342; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1342** -- State Government - As introduced, requires policy for lease payments for space occupied by state agencies to be established by the commissioner of finance and administration, instead of the commissioner of general services, and approved by the state building commission. - Amends TCA Title 3; Title 4; Title 9, Chapter 4 and Title 12. by *McNally. (HB1365 by *Calfee, *Ramsey)

MESSAGE FROM THE SENATE

April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1558; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1558 -- Criminal Procedure - As introduced, specifies that in criminal cases a person designated by counsel for a party that is not a natural person and who is not
4082

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excluded from courtroom by rules of evidence is not required to be called as first witness if court finds no prejudice to result. - Amends TCA Title 39 and Title 40. by *Norris, *Bell, *Kelsey. (*HB1479 by *Lamberth, *Sanderson, *Towns)

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1270; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2481; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2481 -- Unemployment Compensation - As introduced, requires the commissioner of labor and workforce development to publish the report concerning the condition of the unemployment trust fund during the first week of January and the first week of July of each year on the department's web site. - Amends TCA Title 50, Chapter 7. by *Green. (*HB2512 by *Holt, *Terry)

RECESS EXPIRED

The recess having expired, the House was called to order by Speaker Pro Temp Johnson.

ROLL CALL DISPENSED

On motion of Rep. McCormick the roll call was dispensed with.

REGULAR CALENDAR, CONTINUED

House Bill No. 1731 -- Hospitals and Health Care Facilities - As introduced, imposes licensure and certificate of need requirements on pain management clinics. - Amends TCA Title 63 and Title 68. by *Sexton C, *Lamberth. (*SB1466 by *McNally, *Yager, *Crowe, *Briggs, *Bowling, *Bailey)

On motion, House Bill No. 1731 was made to conform with **Senate Bill No. 1466**; the Senate Bill was substituted for the House Bill.

4083

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. C. Sexton moved that Senate Bill No. 1466 be passed on third and final consideration.

Rep. Williams moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Williams moved adoption of Health Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1466 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Title 63, Chapter 1, Part 3, is amended by adding the following language as a new, appropriately designated section:

Notwithstanding this part or the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, any rule promulgated to implement the provisions of this part shall be provided to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate by the secretary of state, after approval by the attorney general and reporter, at the same time the text of the rule is made available to the government operations committees of the senate and the house of representatives for purposes of conducting the review required by § 4-5-226 in order for the health committee of the house of representatives and the health and welfare committee of the senate to be afforded the opportunity to comment on the rule.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. C. Sexton moved that **Senate Bill No. 1466**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

Senate Bill No. 1796 -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67, Chapter 5. by *Overbey, *McNally, *Norris, *Gresham, *Green, *Watson, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager, *Yarbro, *Ramsey. (*HB2156 by *Ragan, *Rogers, *Johnson, *Gravitt)

Further consideration of Senate Bill No. 1796, previously considered on today's Calendar, at which time the House substituted the Senate Bill for the House Bill, rolled Amendments Nos 1 and 2 to the heel and was on the motion to adopt House Amendment No. 3.

Rep. Ragan requested that Senate Bill No. 1796 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 2381** -- Water Authorities - As introduced, sunsets the Hamilton County water and wastewater treatment authority created pursuant to this state's Water and Wastewater Treatment Authority Act, July 1, 2021. - Amends TCA Title 68, Chapter 221, Part 6. by *Carter. (SB2364 by *Watson)

Rep. Carter requested that House Bill No. 2381 be moved down five spaces on today's Calendar, which motion prevailed.

SPECIAL ORDER

Rep. McCormick moved the House to take House Bill No. 1882, out of order at this time, which motion prevailed:

***House Bill No. 1882** -- Scholarships and Financial Aid - As introduced, extends eligibility for the Tennessee Promise scholarship to students enrolled in middle college programs; allows student who earns an associate degree in a middle college program to be eligible for a Tennessee HOPE scholarship when transferring to an eligible four-year postsecondary institution. - Amends TCA Title 49, Chapter 4. by *Powers, *Calfee. (SB1952 by *Yager)

Rep. Powers moved that House Bill No. 1882 be passed on third and final consideration.

Rep. H. Brooks requested that Education Administration & Planning Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

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Amendment No. 2

AMEND House Bill No. 1882 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-907(3)(B), is amended by deleting the language "a combined SAT score of at least 980" and substituting instead "the concordant equivalent score on the SAT".

SECTION 2. Tennessee Code Annotated, Section 49-4-908, is amended by deleting the language "a combined SAT score of at least 980" wherever it appears and substituting instead "the concordant equivalent score on the SAT".

SECTION 3. Tennessee Code Annotated, Section 49-4-916, is amended by deleting the language "a combined SAT score of at least 1280" wherever it appears and substituting instead "the concordant equivalent score on the SAT".

SECTION 4. Tennessee Code Annotated, Section 49-4-920(a)(6), is amended by deleting the language "a combined SAT score of at least 860" and substituting instead "the concordant equivalent score on the SAT".

SECTION 5. Tennessee Code Annotated, Section 49-4-930(d)(3), is amended by deleting the language "the combined SAT score" and substituting instead "the concordant equivalent score on the SAT".

SECTION 6. Tennessee Code Annotated, Section 49-4-935(a)(3), is amended by deleting the language "a combined SAT score of at least 980" and substituting instead "the concordant equivalent score on the SAT".

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for the 2017-2018 academic years and academic years thereafter.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powers moved that **House Bill No. 1882**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Holt -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **House Bill No. 1882** and have this statement entered in the Journal: Rep. Womick.

REGULAR CALENDAR, CONTINUED

***House Bill No. 623** -- Bail, Bail Bonds - As introduced, deletes provision permitting a court to revoke a defendant's bond and order the defendant held without bail pending trial if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial. - Amends TCA Title 40, Chapter 11. by *Farmer. (SB642 by *Gardenhire)

Further consideration of House Bill No. 623, previously considered on April 20, 2015, at which time it was held on the desk, March 21, 2016, April 4 2016 and today's Calendar.

BILL HELD ON DESK

Rep. Farmer moved that House Bill No. 623 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2201** -- State Employees - As introduced, enacts the "Right to Earn a Living Act." - Amends TCA Title 4; Title 7; Title 38; Title 62; Title 63 and Title 67. by *Daniel,

*Reedy, *Sanderson, *Sexton J. (SB2469 by *Green, *Johnson, *Roberts, *Bell, *Gresham, *Stevens, *Beavers, *Bowling, *Crowe, *Dickerson, *Niceley, *Norris)

On motion, House Bill No. 2201 was made to conform with **Senate Bill No. 2469**; the Senate Bill was substituted for the House Bill.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Powers

REGULAR CALENDAR, CONTINUED

Rep. Daniel moved that Senate Bill No. 2469 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Faison moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion failed by the following vote:

Ayes 50

Noes..... 42

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Daniel, Doss, Dunlap, Durham, Eldridge, Farmer, Forgety, Goins, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Pody, Ragan, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Spivey, Todd, Van Huss, White D., White M., Williams, Windle, Zachary, Madam Speaker Harwell -- 50

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Camper, Casada, Clemmons, Coley, Cooper, DeBerry, Dunn, Faison, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Hawk, Holt, Jernigan, Johnson, Jones, Kumar, Love, McCormick, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Shaw, Shepard, Smith, Sparks, Stewart, Terry, Towns, Travis, Turner, Weaver, Womick -- 42

After further discussion, Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes 65

4088

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Noes..... 28

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Kane, Lollar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Sparks, Stewart, Towns, Turner -
- 28

Rep. Daniel moved that **Senate Bill No. 2469** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 78
Noes..... 14
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 78

Representatives voting no were: Akbari, Camper, Clemmons, Favors, Gilmore, Jones, Miller, Mitchell, Parkinson, Shaw, Shepard, Stewart, Towns, Turner -- 14

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

SPECIAL ORDER

Reps. Fitzhugh and Stewart were recognized in the Well to honor Rep. David Shephard for his service to the 69th District of the House of Representatives.

RESOLUTION READ

The Clerk read House Joint Resolution No. 996, adopted April 14, 2016.

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House Joint Resolution No. 996 -- Memorials, Public Service - Representative David Shepard. by *Fitzhugh.

CONSENT CALENDAR, NO. 2

House Joint Resolution No. 1069 -- Memorials, Death - Webb Banks. by *Fitzhugh.

House Joint Resolution No. 1070 -- Memorials, Recognition - 155th anniversary reenactment of The Battle of Shiloh. by *Moody, *McDaniel.

Senate Joint Resolution No. 809 -- Memorials, Interns - Blake Patrick Connolly. by *Briggs, *Bailey.

Senate Joint Resolution No. 812 -- Memorials, Retirement - Bill Taliaferro. by *Ramsey, *Watson, *Norris, *Ketron, *Harris, *Yarbro, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Massey, *McNally, *Niceley, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager.

Senate Joint Resolution No. 813 -- Memorials, Death - Webb F. Banks. by *Gresham, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

Senate Joint Resolution No. 814 -- Memorials, Interns - Thomas Allan Murphy. by *Norris.

Senate Joint Resolution No. 816 -- Memorials, Public Service - Jeff Puckett, Deputy Director, Tennessee Bureau of Investigation. by *McNally.

Senate Joint Resolution No. 817 -- Memorials, Public Service - Macon County first responders. by *Beavers.

Senate Joint Resolution No. 818 -- Memorials, Academic Achievement - Cameron Reid, Salutatorian, Cheatham County Central High School. by *Roberts.

Senate Joint Resolution No. 819 -- Memorials, Academic Achievement - Samantha Lynn Drury, Valedictorian, Cheatham County Central High School. by *Roberts.

Senate Joint Resolution No. 820 -- Memorials, Academic Achievement - Kensley Nash, Valedictorian, Upperman High School. by *Bailey.

Senate Joint Resolution No. 821 -- Memorials, Academic Achievement - Matthew Winsett, Salutatorian, Upperman High School. by *Bailey.

Senate Joint Resolution No. 822 -- Memorials, Academic Achievement - Macey Davis, Valedictorian, Monterey High School. by *Bailey.

Senate Joint Resolution No. 823 -- Memorials, Academic Achievement - Brendon Wood, Salutatorian, Monterey High School. by *Bailey.

Senate Joint Resolution No. 824 -- Memorials, Academic Achievement - Allison Marie Graham, Valedictorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 825 -- Memorials, Academic Achievement - Jacob Ryan Hayes, Salutatorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 826 -- Memorials, Academic Achievement - Chelsea Marissa Moore, Salutatorian, White County High School. by *Bailey.

Senate Joint Resolution No. 827 -- Memorials, Academic Achievement - Megan Elizabeth Holland, Valedictorian, White County High School. by *Bailey.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement - Nathan G. Stine, Salutatorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 829 -- Memorials, Academic Achievement - Aric T. Moilanen, Valedictorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 830 -- Memorials, Interns - Emory Chaple. by *Ramsey.

Senate Joint Resolution No. 831 -- Memorials, Interns - Whitney Smith. by *Ramsey.

Senate Joint Resolution No. 833 -- Memorials, Interns - Michael Ryan Hester. by *Bowling.

Senate Joint Resolution No. 834 -- Memorials, Interns - Harold Mitchell. by *Kyle.

Senate Joint Resolution No. 835 -- Memorials, Death - Dr. Bill Byrne. by *Kyle.

Senate Joint Resolution No. 836 -- Memorials, Recognition - Tennessee Economic Council on Women. by *Kyle.

Senate Joint Resolution No. 837 -- Memorials, Recognition - Waynesboro Health and Rehabilitation Center, 2015 Bronze - Commitment to Quality Award. by *Hensley.

Senate Joint Resolution No. 838 -- Memorials, Recognition - Colonel James E. Stone (retired), Cannon County Veteran of the Year. by *Beavers.

Senate Joint Resolution No. 839 -- Memorials, Recognition - Lions Clubs International. by *Beavers, *Ketrone, *Tracy.

Rep. Dunlap requested to be added as a co-prime sponsor on Senate Joint Resolutions Nos. 826 and 827, which motion prevailed.

Rep. Shaw requested to be added as a co-prime sponsor on Senate Joint Resolution No. 813, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 2192 -- Emergency Communications Districts - As introduced, extends the date by which TACIR shall report to the joint committee on government operations on the 911 surcharge and 911 system from September 15, 2017, to September 15, 2018. - Amends TCA Title 7, Chapter 86. by *Matheny, *Carter. (*SB2051 by *Gardenhire, *Norris)

On motion, House Bill No. 2192 was made to conform with **Senate Bill No. 2051**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 2051 be passed on third and final consideration.

Rep. Faison moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matheny moved that **Senate Bill No. 2051** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety,

Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

Senate Bill No. 47 -- Taxes, Income - As introduced, contingent upon revenue growth exceeding three percent in any fiscal year, reduces the Hall income tax until it reaches zero percent; for each rate reduction, increases the percentage of tax proceeds returned to local governments until it reaches 100 percent and decreases the percentage returned to the general fund until it reaches zero percent. - Amends TCA Title 67, Chapter 2. by *Green, *Yager, *Gresham, *Ketron, *Tracy, *Bell, *Massey, *Crowe, *Gardenhire, *Bowling, *Bailey, *Jackson, *Beavers, *Roberts, *Watson, *Ramsey, *Kelsey, *Norris, *Haile, *Briggs, *Dickerson, *Overbey, *Hensley, *Niceley, *Southerland, *Stevens. (*SB47 by *Sargent, *Matlock, *Haynes, *Kane, *Moody, *Littleton, *Brooks K, *Casada, *Sexton C, *Carter, *Travis, *Johnson, *Lynn, *Butt, *Sexton J, *Calfee, *Farmer, *Williams, *Lamberth, *Terry, *White D, *Alexander, *McCormick, *Todd, *Eldridge)

Further consideration of Senate Bill No. 47, previously considered on April 20, 2016 and today's Calendar, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendments Nos. 1 and 2, and was on the motion to adopt House Amendment No. 3.

Rep. Sargent requested that Senate Bill No. 47 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 2381** -- Water Authorities - As introduced, sunsets the Hamilton County water and wastewater treatment authority created pursuant to this state's Water and Wastewater Treatment Authority Act, July 1, 2021. - Amends TCA Title 68, Chapter 221, Part 6. by *Carter. (SB2364 by *Watson)

Further consideration of House Bill No. 2381, previously considered on today's Calendar.

On motion, House Bill No. 2381 was made to conform with **Senate Bill No. 2364**; the Senate Bill was substituted for the House Bill.

Rep. Carter moved that Senate Bill No. 2364 be passed on third and final consideration.

Rep. Halford requested that Agriculture and Natural Resources Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2364 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 221, Part 6, is amended by adding the following as a new section:

(a) Effective July 1, 2019, the authority granted pursuant to this part shall not apply to authorities created in any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty- six thousand five hundred (336,500), according to the 2010 federal census or any subsequent federal census.

(b) No later than one (1) year prior to the date that the authority granted pursuant to this part ceases to apply, the governing body of the creating governmental entity shall begin winding up the affairs of the authority. All legal and financial obligations of the authority shall be satisfied, closed, transferred, or otherwise assumed to the satisfaction of the comptroller of the treasury and the department of environment and conservation, as provided in subsection (c), prior to the authority ceasing to exist.

(c)

(1) Notwithstanding § 68-221-615, whenever an authority is dissolved pursuant to this section, the county mayor of the creating governmental entity shall wind up the authority's affairs and submit a plan of dissolution to be approved by both the comptroller of the treasury or the comptroller's designee and the department of environment and conservation.

(2) The plan of dissolution shall be approved only if the plan:

(A) Is determined to be in the public's interest;

(B) Expressly provides for equitable distribution and assumption of all bonds and other obligations of the authority to the creating governmental entity or its lawful designees; and

(C) Contemplates a lawful transfer of assets to eligible local governments or private entities.

(3) Upon receipt of these state approvals, the county mayor of the creating governmental entity shall execute and file for record with the secretary of state a certificate of dissolution reciting such facts and declaring the authority to be dissolved.

(4) Failure to comply with the dissolution proceedings of this section shall cause the department of environment and conservation and the comptroller of the treasury or the comptroller's designee to submit a plan of dissolution on behalf of the authority to the state funding board for approval. The plan shall be enforceable in chancery court, with all costs associated with the dissolution, including, but not limited to, legal costs, to be borne by the authority.

(d) For authorities existing on July 1, 2016, and to which this section applies:

(1)

(A) For fiscal year 2017-2018, such authorities shall submit quarterly progress reports on the plan of dissolution, including all financial statements, to the comptroller of the treasury or the comptroller's designee; and

(B) Beginning July 1, 2018, such authorities shall submit monthly progress reports on the plan of dissolution, including all financial statements, to the comptroller of the treasury or the comptroller's designee;

(2) The county mayor of the creating governmental entity shall submit a plan of dissolution no later than July 1, 2017; and

(3) Dissolution shall be completed by July 1, 2019.

(e) For purposes of this section, "equitable distribution and assumption" means apportioning debt in a manner consistent with the amount of improvements made to certain areas and the customers that reside in those areas and any excess amount of debt to be refinanced and secured by the full faith and credit and unlimited taxing power of the creating governmental entity.

(f) The authority shall be responsible for any reasonable expenses incurred by the comptroller of the treasury in carrying out this section.

SECTION 2. Tennessee Code Annotated, Section 68-221-607, is amended by adding the following as a new subsection:

(c) Any authority created pursuant to this part may notify the appropriate permitting department when water and wastewater services provided to a business currently permitted pursuant to the Tennessee Retail Food Safety Act, compiled in title 53, chapter 8, part 2, or the Tennessee Food Safety Act, compiled in title 68, chapter 14, part 7, are discontinued for a violation of the authority's rules, regulations, or policies. This subsection (c) shall apply to all counties in which an authority has been created as of July 1, 2016.

SECTION 3. Tennessee Code Annotated, Section 68-221-608, is amended by adding the following new subsections:

(d) The rates, prices, or charges for water, wastewater, and reuse or recycled wastewater may be flat rate, proportional to usage, or a combination thereof.

(e)

(1)

(A) Any person aggrieved by an appealable action of the board, or the board's officers or employees, may appeal the action by filing a written notice of the challenged action stating:

(i) The action being appealed;

(ii) The date of the appealed action;

(iii) The manner in which the person is aggrieved;

(iv) Each factual or legal basis for the appeal; and

(v) The relief sought.

(B) A notice of appeal shall be dated and signed by the appellant and shall include the appellant's mailing address and telephone number, and, if available, the appellant's electronic mail address.

(C) A notice of appeal shall be filed with the authority's executive director, or the executive director's designee, within fifteen (15) days immediately following the date of the action being challenged in the notice.

(D) The authority shall establish rules and procedures governing the method for consideration of appeals filed pursuant to this subsection (e). The authority shall make copies of the rules and procedures available to their customers and post a copy of their rules and procedures at the authority's principal office and on the authority's web site.

(E) The authority shall determine all factual and legal issues raised in an appeal and shall state in writing to the aggrieved person the reasons for its decision.

(2) Any judicial review of the disposition of an appeal shall be by common law certiorari filed in a court of competent jurisdiction in the

county where the authority's principal office is located. No change in the authority's fees, rates, charges, penalties, or deposits shall be stayed unless the plaintiff posts an adequate bond sufficient to compensate the authority for any losses incurred as a result of the stay.

(3) As used in this subsection (e), "appealable action"

(A) Means:

(i) An action relating to the authority's duty to establish, charge, administer, and collect fees, rates, charges, penalties, and deposits; and

(ii) Other decisions based on the authority's rules and procedures that the authority designates as appealable actions; and

(B) Does not include any action relating to the issuance of bonds or debt, any civil service plan, or any other action not identified in subdivision (e)(3)(A).

(4) This part shall not authorize or permit any class action lawsuits against any authority, except as to holders of the authority's bonds under § 68-221-611.

(5) This part shall not grant a private right of action, except as to holders of the authority's bonds under § 68-221-611.

(6) The procedures established pursuant to this subsection (e) shall constitute the exclusive method of review of actions of the board and the board's officers and employees, except as to holders of the authority's bonds under § 68-221-611 and employees in a civil service plan under § 68-221-613.

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carter requested that Senate Bill No. 2364 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 2047 -- State Government - As introduced, transfers bomb and arson section within the department of commerce and insurance to the TBI. - Amends TCA Title 38, 4097

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WEDNESDAY, APRIL 20, 2016 – SIXTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

Chapter 6 and Title 68, Chapter 102. by *McDaniel, *Carter. (*SB1775 by *McNally, *Hensley, *Bowling)

On motion, House Bill No. 2047 was made to conform with **Senate Bill No. 1775**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 1775 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McDaniel moved that **Senate Bill No. 1775** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

Representatives present and not voting were: Byrd -- 1

A motion to reconsider was tabled.

House Bill No. 1749 -- Handgun Permits - As introduced, waives the application and processing fee required with a lifetime handgun carry permit application for retired federal, state, and local law enforcement officers who retired in good standing as certified by the chief enforcement officer from the organization from which the applicant retired. - Amends TCA Section 39-17-1351. by *Matheny, *Goins, *Byrd, *Terry. (*SB1665 by *Tracy, *Bailey, *Bowling, *Overbey, *Stevens)

On motion, House Bill No. 1749 was made to conform with **Senate Bill No. 1665**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 1665 be passed on third and final consideration.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1 as follows:

4098

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Amendment No. 1

AMEND Senate Bill No. 1665 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351(x), is amended by adding the following language as a new subdivision:

(5) The total fee required by subdivision (x)(2) shall be one hundred dollars (\$100) if the applicant:

(A) Is a retired federal, state, or local law enforcement officer, as defined in § 39-11-106;

(B) Served for at least ten (10) years prior to retirement and was POST-certified, or had equivalent training, on the date the officer retired;

(C) Retired in good standing as certified by the chief law enforcement officer of the organization from which the applicant retired; and

(D) Was a resident of this state on the date of the officer's retirement and is a resident on the date of the application.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to applications made on or after that date.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1665 by deleting the effective date section and substituting instead the following:

SECTION __. This act shall take effect January 1, 2017, the public welfare requiring it, and shall apply to applications made on or after that date.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Matheny moved that **Senate Bill No. 1665**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92

4099

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Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 1694** -- Sexual Offenses - As introduced, increases penalty for offense of sexual contact by authority figure from Class A misdemeanor to Class E felony with a mandatory minimum \$1,000 fine if the minor is under 13 years of age. - Amends TCA Title 39 and Title 40. by *Coley. (SB1682 by *Bowling, *Gresham)

On motion, House Bill No. 1694 was made to conform with **Senate Bill No. 1682**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 1682 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 1682** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 203** -- Criminal Procedure - As introduced, permits a court to order a qualified defendant to serve up to 11 months, 29 days in confinement as a reasonable condition of judicial diversion; permits the court to order such sentence be served by split confinement or periodic confinement. - Amends TCA Title 40. by *Durham, *Lamberth. (SB637 by *Johnson)

On motion, House Bill No. 203 was made to conform with **Senate Bill No. 637**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 637 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Durham moved that **Senate Bill No. 637** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 809 -- Economic and Community Development - As introduced, requires the department of economic and community development's annual report to the senate and house finance, ways and means committees on the Tennessee job skills program to also be submitted to the office of legislative budget analysis; authorizes the report to be submitted in electronic format. - Amends TCA Title 4; Title 6; Title 7; Title 8; Title 9; Title 11; Title 13; Title 50; Title 65 and Title 67. by *Hazlewood. (*SB750 by *Watson, *Norris)

On motion, House Bill No. 809 was made to conform with **Senate Bill No. 750**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that Senate Bill No. 750 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion failed by the following vote:

Ayes	51
Noes.....	40

Representatives voting aye were: Alexander, Brooks H., Brooks K., Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Sexton C., Swann, Terry, Todd, Travis, White D., White M., Williams, Wirgau, Zachary -- 51

Representatives voting no were: Akbari, Armstrong, Beck, Butt, Byrd, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Halford, Hardaway, Hill M., Holt, Jernigan, Jones, Keisling, Kumar, Littleton, Love, Miller, Mitchell, Parkinson, Pitts, Rogers, Sargent, Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Towns, Turner, Van Huss, Weaver, Windle, Womick -- 40

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Harwell; illness

REGULAR CALENDAR, CONTINUED

After further discussion, Rep. Lollar moved the previous question, which motion prevailed.

Rep. Hazlewood moved that **Senate Bill No. 750** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Reedy, Rogers, Sargent, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

Representatives voting no were: Towns -- 1

A motion to reconsider was tabled.

***House Bill No. 2416** -- Workers Compensation - As introduced, revises various workers' compensation and drug-free workplace provisions. - Amends TCA Title 50, Chapter 6 and Title 50, Chapter 9. by *Lynn, *Casada. (SB2582 by *Norris)

On motion, House Bill No. 2416 was made to conform with **Senate Bill No. 2582**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that Senate Bill No. 2582 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. Lynn moved that **Senate Bill No. 2582** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes.....	26
Present and not voting.....	1

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton J., Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 65

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Kumar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Towns, Turner -- 26

Representatives present and not voting were: Hazlewood -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **Senate Bill No. 2582** and have this statement entered in the Journal: Reps. Alexander and Sparks.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Senate Bill No. 2582** and have this statement entered in the Journal: Rep. Hazlewood.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1514** -- Highway Signs - As introduced, enacts the "Tyler Head Law," which creates a memorial sign program for persons who died in accidents caused by drivers under the influence of drugs or alcohol. - Amends TCA Title 39; Title 54 and Title 55. by *Pitts, *Kumar, *Rogers. (SB1730 by *Roberts, *Yarbro)

On motion, House Bill No. 1514 was made to conform with **Senate Bill No. 1730**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 1730 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved the previous question, which motion prevailed.

Rep. Pitts moved that **Senate Bill No. 1730** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 94

A motion to reconsider was tabled.

House Bill No. 1990 -- Boards and Commissions - As introduced, expands membership on the viticulture advisory board to include two members of the general assembly, to be appointed by the house and senate speakers. - Amends TCA Title 4 and Title 43, Chapter 30. by *Sanderson, *McCormick. (*SB1800 by *Niceley, *Norris)

On motion, House Bill No. 1990 was made to conform with **Senate Bill No. 1800**; the Senate Bill was substituted for the House Bill.

Rep. Sanderson moved that Senate Bill No. 1800 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1800 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 43-30-102, is amended by deleting the section and substituting instead the following:

(a) There is created the viticulture advisory board to be appointed by the governor and composed of nine (9) members as follows:

(1) One (1) member who is a representative of the University of Tennessee college of agricultural sciences and natural resources;

(2) One (1) member who is a representative of the department of agriculture;

(3) One (1) member who is a representative of the department of tourist development;

(4) Three (3) members with a commercial interest in the growing of grapes; and

(5) Three (3) members with a commercial interest in the processing of grapes.

(b) The term of office of each board member shall be four (4) years, with terms to be staggered in accordance with the original appointments that began on July 1, 1991, except that the term for each additional member appointed pursuant to subdivision (a)(4) or (5) shall begin on July 1, 2016. Board members are eligible to succeed themselves, but not for more than two (2) four-year terms;

provided, that representatives of the college of agricultural sciences and natural resources, the department of agriculture, and the department of tourist development may succeed themselves for not more than four (4) four-year terms.

(c) The governor shall fill any vacancy occurring in an office of a board member that occurs prior to the expiration of the member's term in the same manner as a regular appointment for the remainder of the unexpired term.

(d) The governor shall consult with industries and organizations represented on the board to determine qualified persons to fill positions on the board.

(e) All board members shall serve without compensation; provided, that board members shall be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(f) Board members may be removed for cause by the governor.

(g) The board shall elect a chair, a vice chair, and a secretary from among the board members appointed pursuant to subdivision (a), and adopt rules of procedure for governing the board's deliberations. The terms of the officers shall be for one (1) year.

(h) The board shall meet at the call of its chair, at the request of a majority of its membership, at the request of the governor, at the request of the commissioner of agriculture, or at such times as may be prescribed by its rules.

(i) Five (5) board members shall constitute a quorum for all purposes, and an act effected by a majority at any properly constituted meeting shall be an official act of the board.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Sanderson moved that **Senate Bill No. 1800**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw,

Howell, Hulse, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Womick, Zachary -- 90

Representatives voting no were: Wirgau -- 1

Representatives present and not voting were: Holt -- 1

A motion to reconsider was tabled.

***House Bill No. 1479** -- Criminal Procedure - As introduced, specifies that in criminal cases a person designated by counsel for a party that is not a natural person and who is not excluded from courtroom by rules of evidence is not required to be called as first witness if court finds no prejudice to result. - Amends TCA Title 39 and Title 40. by *Norris, *Bell, *Kelsey. (SB1558 by *Lamberth, *Sanderson, *Towns)

Further consideration of House Bill No. 1479, previously considered on March 3, 2016, March 24, 2016, April 7, 2016, and today's Calendar at which time the House withdrew Amendments Nos. 1 and 2, and was on the motion to adopt House Amendment No. 3.

On motion, House Bill No. 1479 was made to conform with **Senate Bill No. 1558**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 1558 be passed on third and final consideration.

Rep. Lamberth moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed by the following vote:

Ayes	64
Noes.....	25

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Forgety, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 64

WEDNESDAY, APRIL 20, 2016 – SIXTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Goins, Hardaway, Jernigan, Jones, Love, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Towns, Turner -- 25

Rep. Lamberth moved that **Senate Bill No. 1558** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 92

Representatives voting no were: Cooper -- 1

A motion to reconsider was tabled.

House Bill No. 576 -- Probation and Parole - As introduced, makes a person who commits vehicular homicide where alcohol or drugs were involved ineligible for probation. - Amends TCA Title 40, Chapter 35, Part 3. by *Carr . (*SB35 by *Overbey, *Bowling, *Gardenhire)

On motion, House Bill No. 576 was made to conform with **Senate Bill No. 35**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 35 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 35** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar,

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Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 92

A motion to reconsider was tabled.

House Bill No. 1365 -- State Government - As introduced, requires policy for lease payments for space occupied by state agencies to be established by the commissioner of finance and administration, instead of the commissioner of general services, and approved by the state building commission. - Amends TCA Title 3; Title 4; Title 9, Chapter 4 and Title 12. by *Calfee, *Ramsey. (*SB1342 by *McNally)

SPECIAL ORDER

Reps. McCormick and Casada were recognized in the Well to honor Rep. Billy Spivey for his service in the House of Representatives.

RESOLUTION READ

The Clerk read House Joint Resolution No. 1044, adopted April 20, 2016.

House Joint Resolution No. 1044 -- Memorials, Public Service - Representative Billy Spivey. by *Casada.

REGULAR CALENDAR, CONTINUED

House Bill No. 1365 -- State Government - As introduced, requires policy for lease payments for space occupied by state agencies to be established by the commissioner of finance and administration, instead of the commissioner of general services, and approved by the state building commission. - Amends TCA Title 3; Title 4; Title 9, Chapter 4 and Title 12. by *Calfee, *Ramsey. (*SB1342 by *McNally)

On motion, House Bill No. 1365 was made to conform with **Senate Bill No. 1342**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 1342 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Clemmons moved adoption of House Amendment No. 2 as follows:

4109

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Amendment No. 2

AMEND Senate Bill No. 1342 by adding the following language as a new subsection in SECTION 1:

() Notwithstanding this section; title 4, chapter 3, part 11; or any other provision of law to the contrary, the executive branch shall not have the exclusive authority to enter into contracts to outsource or privatize the provision of services with regard to any state building or facilities, including, but not limited to, janitorial, maintenance, or security services, without the express approval of the legislative branch. The approval shall be granted in a manner as determined by the legislative branch.

Rep. McCormick moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	66
Noes.....	23

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 66

Representatives voting no were: Akbari, Armstrong, Beck, Clemmons, Cooper, DeBerry, Dunlap, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 23

Rep. Clemmons moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1342 by adding the following language as a new subsection in SECTION 1:

() If any branch of state government enters into a contract to outsource or privatize the provision of services with regard to any state building or facility, including, but not limited to, janitorial, maintenance, or security services, then any employees providing such services at the time of contract shall be retained in

their present position and shall not experience any reduction in benefits or salary as a result of the branch entering into such contract.

Rep. McCormick moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	64
Noes.....	26

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carter, Casada, Coley, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 64

Representatives voting no were: Akbari, Armstrong, Beck, Clemmons, Cooper, DeBerry, Dunlap, Fitzhugh, Gilmore, Hardaway, Hawk, Holt, Jernigan, Jones, Keisling, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 26

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the tabling motion on House Amendment No. 3 of **Senate Bill No. 1342** and have this statement entered in the Journal: Rep. Daniel.

REGULAR CALENDAR, CONTINUED

Rep. Clemmons moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 1342 by adding the following language as a new subsection in SECTION 1:

() Notwithstanding this section or any other provision of law to the contrary, no legislative department or agency shall enter into a contract to outsource or privatize the services provided by the Tennessee highway patrol in state buildings or facilities occupied by the legislative branch on or after the effective date of this act.

Rep. McCormick moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	65
Noes.....	26

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 65

Representatives voting no were: Akbari, Armstrong, Beck, Clemmons, Cooper, DeBerry, Dunlap, Fitzhugh, Gilmore, Hardaway, Hawk, Jernigan, Jones, Keisling, Love, Miller, Mitchell, Parkinson, Pody, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 26

Rep. McCormick moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 1342 by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 1, is amended by adding the following as a new section:

Notwithstanding any other law to the contrary, the legislative branch of state government and the judicial branch of state government maintain control of the state buildings occupied predominantly by the legislative branch and the judicial branch, respectively.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, House Amendment No. 5 was adopted.

Rep. Gravitt moved the previous question, which motion failed by the following vote:

Ayes	60
Noes	32

Representatives voting aye were: Brooks H., Brooks K., Butt, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Womick, Zachary -- 60

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Byrd, Clemmons, Cooper, DeBerry, Dunlap, Faison, Fitzhugh, Gilmore, Halford, Hardaway, Hawk, Holt, Jernigan,

Jones, Love, Mitchell, Parkinson, Pitts, Powell, Sexton C., Shaw, Shepard, Smith, Stewart, Towns, Turner, Windle, Wirgau -- 32

After further discussion, Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes	67
Noes.....	21

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 67

Representatives voting no were: Akbari, Beck, Clemmons, Cooper, DeBerry, Dunlap, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shepard, Stewart, Towns, Windle -- 21

Rep. McCormick moved that **Senate Bill No. 1342**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes.....	21

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Smith, Sparks, Spivey, Swann, Terry, Todd, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 70

Representatives voting no were: Akbari, Armstrong, Beck, Clemmons, Cooper, Dunlap, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Mitchell, Parkinson, Pitts, Powell, Shepard, Stewart, Towns, Turner, Windle -- 21

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Favors

SPECIAL ORDER

Rep. C. Sexton was recognized in the Well to honor Mrs. Mary Watts upon her retirement and in recognition of her service to the State for over 45 years.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1960** -- Children - As introduced, enacts the "Juvenile Justice Realignment Act"; creates a task force to study the creation of a department of juvenile justice. - Amends TCA Title 4; Title 8 and Title 37. by *Camper, *Turner. (SB2586 by *Norris, *Overbey)

On motion, House Bill No. 1960 was made to conform with **Senate Bill No. 2586**; the Senate Bill was substituted for the House Bill.

Rep. Camper moved that Senate Bill No. 2586 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2586 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Juvenile Justice Realignment Act."

SECTION 2.

(a) There is hereby created a task force to study new approaches to the administration of juvenile justice, which may include the creation of a department of juvenile justice, the mission of which would be the treatment and rehabilitation of the state's juvenile offenders.

(b) The members of the task force shall be as follows:

(1) The following members shall be appointed by the speaker of the senate:

(A) Five (5) members of the public, who have experience or interest in children's issues, including, but not limited to, teachers, counselors, community leaders, doctors, nonprofit organizers, and attorneys; and

(B) Two (2) members of the senate;

(2) The following members shall be appointed by the speaker of the house of representatives:

(A) Five (5) members of the public, who have experience or interest in children's issues, including, but not limited to, teachers,

counselors, community leaders, doctors, nonprofit organizers, and attorneys; and

(B) Two (2) members of the house of representatives; and

(3) The following members who shall serve as ex officio members:

(A) The commissioner of children's services, or the commissioner's designee;

(B) The commissioner of finance and administration, or the commissioner's designee;

(C) The commissioner of mental health and substance abuse services, or the commissioner's designee;

(D) The administrative director of the administrative office of the courts, or the director's designee;

(E) The comptroller, or the comptroller's designee;

(F) The executive director of the commission on children and youth, or the director's designee; and

(G) The president of the council of juvenile and family court judges, or the president's designee.

(c) The longest serving legislative member of the task force shall call the first meeting of the task force, at which time the task force shall elect a chair. All members of the task force shall serve as such without compensation, but they shall be allotted necessary traveling and other appropriate expenses while engaged in the work of or for the task force. The task force shall be administratively attached to the comptroller's office.

(d) The task force shall study the implementation of new approaches to the administration of juvenile justice with regard to the following goals:

(1) The protection of the public by reclaiming juveniles through prevention, community programs, education, and rehabilitative services in the least restrictive environment possible;

(2) The provision of custodial care and rehabilitation for the state's children who are in state custody, on probation, or in community placement for a criminal offense, status offense, or juvenile act;

(3) The prevention of future juvenile crime and delinquency;

(4) The need for balancing accountability and public safety, while also preserving the rights of youth;

(5) The perception in many communities of a school-to-prison pipeline; and

(6) The prevalence of mental health issues among youth who are in the custody of the state.

(e) On or before January 15, 2017, the task force shall provide a recommendation and report for new approaches to the administration of juvenile justice to the council of juvenile and family court judges. The council shall review the report and recommendations and forward the report and recommendations to the speakers of the house of representatives and senate and the governor, with any comments the council may have. Upon receipt of the report and recommendation by the speakers and governor, the task force shall cease to exist.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Casada moved that the House consider House Amendment No. 3, which motion prevailed by the following vote:

Ayes 60
Noes 25

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Forgety, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Kane, Kumar, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sparks,

Spivey, Swann, Todd, Travis, Van Huss, White D., White M., Williams, Wirgau, Womick, Zachary -- 60

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 25

Rep. Casada moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2586 by adding the following new subdivision (4) to subsection (b) of the amendatory language of SECTION 2:

(4)

(A) In addition to the members of the task force set out in this subsection (b), the governor, speaker of the house of representatives, and speaker of the senate shall each appoint one (1) member who is recognized as a national expert in the field of juvenile justice or children's issues.

(B) The state shall be responsible for all reasonable costs incurred, including travel expenses, by the three (3) members appointed pursuant to this subdivision (b)(4) for their service on the task force.

Rep. Zachary moved the previous question on House Amendment No. 3, which motion prevailed by the following vote:

Ayes	61
Noes.....	29

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jenkins, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Moody, Pody, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton J., Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 61

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Faison, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sexton C., Shaw, Shepard, Smith, Sparks, Stewart, Towns, Turner, Windle -- 29

On motion, House Amendment No. 3 was adopted by the following vote:

Ayes	54
Noes.....	30

Present and not voting..... 1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hardaway, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Kane, Keisling, Kumar, Littleton, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Ragan, Reedy, Sargent, Sexton C., Sexton J., Spivey, Swann, Todd, Travis, Van Huss, White M., Williams, Wirgau, Womick, Zachary -- 54

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Faison, Fitzhugh, Gilmore, Hazlewood, Jernigan, Jones, Lamberth, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Smith, Sparks, Stewart, Towns, Turner, White D., Windle -- 30

Representatives present and not voting were: DeBerry -- 1

Rep. Love moved the previous question, which motion failed by the following vote:

Ayes 36
Noes..... 52

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Clemmons, Coley, Cooper, Dunlap, Fitzhugh, Gilmore, Hardaway, Hazlewood, Hulsey, Jenkins, Jernigan, Jones, Keisling, Kumar, Lamberth, Lollar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Sanderson, Shaw, Shepard, Sparks, Stewart, Terry, Towns, Turner, Windle -- 36

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Daniel, DeBerry, Doss, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill T., Holsclaw, Holt, Howell, Kane, Littleton, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Todd, Travis, Van Huss, White D., White M., Wirgau, Zachary -- 52

Rep. Casada moved that Senate Bill No. 2586 be re-referred to the Finance, Ways & Means Committee.

Rep. Marsh moved the previous question on the motion to re-refer, which motion failed by the following vote:

Ayes 48
Noes..... 33

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Carr, Carter, Casada, Daniel, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Kane, Keisling, Kumar, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Ragan, Reedy, Sargent, Sexton J., Spivey, Swann, Terry, Todd, Van Huss, Williams, Wirgau, Womick, Zachary -- 48

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Coley, Cooper, DeBerry, Dunlap, Faison, Fitzhugh, Gilmore, Hardaway, Hazlewood, Jernigan, Jones,

Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Smith, Sparks, Stewart, Towns, Travis, Turner, White M., Windle -- 33

Rep. Camper requested that Senate Bill No. 2586 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 1536** -- Taxes, Exemption and Credits - As introduced, establishes a tax credit equal to 33 percent of the value of investments made in certain companies by an "angel investor" against the angel investor's Hall income tax liability. - Amends TCA Title 67, Chapter 2. by *McCormick, *Brooks K, *White M, *Powell, *Matlock. (SB2539 by *Norris, *Stevens, *Dickerson, *Watson)

On motion, House Bill No. 1536 was made to conform with **Senate Bill No. 2539**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 2539 be passed on third and final consideration.

Rep. Alexander moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 2539** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 94

A motion to reconsider was tabled.

***House Bill No. 1751** -- Education - As introduced, permits each LEA and each school board for private schools to determine whether someone with a Tennessee-issued handgun

carry permit may carry a handgun while on the property of the public or private school and while traveling on school functions with students. - Amends TCA Title 39 and Title 49, Chapter 6. by *Byrd, *Rogers. (SB2249 by *Hensley, *Briggs)

On motion, House Bill No. 1751 was made to conform with **Senate Bill No. 2249**; the Senate Bill was substituted for the House Bill.

Rep. Byrd moved that Senate Bill No. 2249 be passed on third and final consideration.

Rep. Carter moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carter moved that Civil Justice Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. H. Brooks requested that Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 3, be placed at the heel of the amendments.

Rep. Alexander moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 4, as follows:

Amendment No. 4

AMEND Senate Bill No. 2249 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 8, is amended by adding the following as a new section:

49-6-816.

(a) As used in this section:

(1) "Distressed rural county" means any county that qualifies as an "eligible county" under § 67-6-104, for the apportionment of sales and use tax revenue for commercial development districts, and has a population of not less than seventeen thousand (17,000) nor more than seventeen thousand one hundred (17,100), or a population of not less than five thousand (5,000) nor more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census; and

(2) "Employee" means a person employed full time to work in a public K-12 school, including as a teacher, principal, vice principal, or other staff member.

(b)

(1) Notwithstanding § 39-17-1309 or any other provision of title 39, chapter 17, part 13, to the contrary, in addition to persons who are authorized to possess a firearm on school property under any other law, the local board of education in a distressed rural county may adopt a policy allowing the director of schools, in consultation with the principal of each school, to authorize and select employees who may carry a concealed handgun within and on the grounds of the school to which the person is assigned.

(2) If the director of schools authorizes one (1) or more employees to carry a concealed handgun as provided in subdivision (b)(1), the maximum number of employees that may be authorized is one (1) employee for each one hundred (100) students enrolled in the school.

(c) No employee shall be disciplined or otherwise suffer adverse employment consequences if the employee does not volunteer to be trained to carry a concealed handgun pursuant to this section.

(d)

(1) The director of schools shall not select an employee to carry a concealed handgun pursuant to this section unless the employee:

(A) Possesses and maintains a valid handgun carry permit issued by this state pursuant to § 39-17-1351;

(B) Is not prohibited from carrying a handgun under the laws of this state or federal law;

(C) Prior to carrying the concealed handgun on school property, successfully completes at least forty (40) hours of handgun instruction administered and taught by a local law enforcement agency whose lesson plans and curriculum have been approved by the peace officers standards and training (POST) commission; and

(D) On an annual basis, completes at least sixteen (16) hours of continuing handgun instruction approved by the POST commission and administered and taught by a local law enforcement agency.

(2) Any training approved by the POST commission pursuant to subdivision (d)(1) shall include instruction designed to:

(A) Emphasize strategies for preventing school shootings and for securing the safety of potential victims of school shootings;

(B) Educate the employee about legal issues relating to the use of force or deadly force in the protection of others;

(C) Introduce the employee to effective school safety strategies and techniques;

(D) Improve the employee's proficiency with a handgun; and

(E) Enable the employee to respond to an emergency situation requiring deadly force, such as a situation involving an active shooter.

(3) It is the duty of the employee to send to the director of schools a certificate evidencing successful completion of the initial forty-hour handgun training instruction and the annual sixteen-hour continuing handgun training instruction. No director of schools may select an employee to carry a concealed handgun on the property of the school to which the employee is assigned without proof of successful completion of the training requirements and a valid handgun carry permit.

(e) The cost of the handgun carry permit, additional firearms training, and the handgun and ammunition the employee will be carrying, shall be at the expense of the employee who has been authorized to carry a concealed handgun pursuant to this section. The LEA assumes no financial responsibility for a handgun possessed by an employee pursuant to this section. Nothing in this subsection (e) shall prohibit an LEA from paying a portion or all of the costs associated with the required training or handgun carry permit fees.

(f) For the safety of law enforcement officers, other first responders, faculty and staff, students, and the employee carrying the concealed handgun pursuant to this section:

(1) Within ten (10) days after the director of schools has authorized an employee to carry or possess a concealed handgun on school property pursuant to subdivision (b)(1), the director shall notify the chief of the appropriate local law enforcement agency of each such authorization; and

(2) Each employee authorized by the director of schools to carry a concealed handgun at an interscholastic athletic event pursuant to this section, other than a law enforcement officer, shall wear appropriate insignia or clothing that clearly identifies the employee as a school security officer or otherwise as being in lawful and authorized possession of a handgun.

(g) An employee's authorization to carry a concealed handgun pursuant to this section shall become ineffective upon the:

(1) Expiration, suspension, or revocation of the employee's handgun carry permit pursuant to § 39-17-1351; or

(2) Termination of the employee's employment with the school.

(h) The board of education and director of schools may, at their sole discretion, revoke an employee's authorization to carry a concealed handgun on school property with or without cause.

(i) The notification transmitted to the chief of the appropriate local law enforcement agency pursuant to subdivision (f)(1), the names and contact information of any employee authorized to carry or possess a concealed handgun on school property pursuant to subdivision (b)(1), any listing or compilation of names or individual names of persons who are authorized to carry or possess a firearm on school property, whether the director of schools and the principal of the school have or have not authorized an employee to carry or possess a firearm on school property, or any other document, file, record, information, or material relating to the carrying or possessing of a handgun on school property pursuant to this section that is received by, transmitted to, maintained, stored, or compiled by the director of schools, the principal of the school, any LEA, or county or municipal law enforcement agency, shall be confidential and not open for public inspection under title 10, chapter 7.

(j) Nothing in § 49-3-315 shall require an LEA or a law enforcement agency of the county to assign or provide funding for a school resource officer, as defined in § 49-6-4202, to any city school system within that county on the basis of the WFTEADA, as defined in § 49-3-302. The providing of security or school resource officers by a sheriff shall be considered a law enforcement function and not a school operation or maintenance purpose that requires the apportionment of funds pursuant to § 49-3-315.

(k) This section shall only apply to a public school located in a distressed rural county. If a county is removed from the distressed rural counties list and one (1) or more of the employees of the public school system within that county was authorized to carry a concealed handgun on school property pursuant to this section, the authorization shall expire thirty (30) days after the county is removed from the list.

SECTION 2. Tennessee Code Annotated, Section 39-17-1309, is amended by adding the following new subdivision to subsection (e):

() Persons carrying a handgun pursuant to § 49-6-815 or § 49-6-816; provided, that this subdivision shall apply only within and on the grounds of the school for which the person is authorized;

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 4, was adopted.

Rep. Hawk moved that House Amendment No. 5 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Byrd moved that **Senate Bill No. 2249**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	11

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary -- 73

Representatives voting no were: Beck, Clemmons, Cooper, Hardaway, Jones, Mitchell, Parkinson, Powell, Stewart, Towns, Turner -- 11

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2249** and have this statement entered in the Journal: Rep. Van Huss.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 2249** and have this statement entered in the Journal: Rep. Akbari.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2142** -- Appropriations - As introduced, appropriates \$100,000,000 from excess state tax revenues over collected in fiscal year 2014-2015 to the various counties to be used for county transportation projects; allocates funds in the same manner as county aid funding. - Amends TCA Title 4; Title 9; Title 54 and Title 67. by *Doss, *Harwell, *Keisling, *Byrd, *Butt, *Kane, *Van Huss, *Kumar, *Farmer, *Lamberth, *Dunlap, *Beck, *Swann, *Marsh, *Carter, *Wirgau, *Alexander, *Forgety, *Howell, *Hawk, *Lollar, *Spivey, *Reedy, *Zachary, *Moody, *Sexton C, *Williams, *Hicks, *Sexton J, *McDaniel, *Terry, *Calfee, *Weaver, *Gravitt, *Shepard, *Carr, *Brooks K, *Casada, *Halford, *White M, *Littleton, *Jenkins, *Powers, *Hazlewood, *Hill T, *Holsclaw, *Hill M, *Matheny, *Goins, *Matlock, *Rogers, *Sparks, *Lynn, *Favors, *Jones, *Fitzhugh, *Camper, *Akbari, *Miller, *Hardaway, *Windle, *Gilmore, *McManus, *Powell, *Jernigan, *Daniel, *Todd, *Ragan, *Sanderson, *Hulsey, *Holt, *Armstrong, *Cooper, *Towns. (SB2115 by *Tracy, *Yager, *Bailey, *Bowling, *Roberts, *Hensley, *Jackson, *Bell, *Gresham, *Green, *Crowe, *Haile, *Ketron, *Niceley)

Rep. Doss moved that House Bill No. 2142 be passed on third and final consideration.

Rep. Alexander moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2142 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. From excess state tax revenue over-collected in fiscal year 2015-2016 and deposited in the general fund and transferred to the highway fund from the general fund in the general appropriations act on June 30, 2016, and July 1, 2016, it is the legislative intent that the sum of \$42,000,000 (nonrecurring) be earmarked to fund the planning, engineering, right-of-way acquisition, construction, improvement, and rehabilitation of roads and bridges on the state-aid highway system as provided in Tennessee Code Annotated, Sections 54-4-401 - 54-4-406.

SECTION 2. It is the legislative intent that the funds credited to the highway fund for the state-aid highway system consistent with Section 1 be allocated to the local agencies to be expended upon the designated highways and roads by the same formula as is set forth in Tennessee Code Annotated, Section 54-4-103.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Doss moved that **House Bill No. 2142**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 92

A motion to reconsider was tabled.

***House Bill No. 1736** -- Education, Higher - As introduced, permits full-time employees of state public colleges or universities to carry a handgun while on property owned, operated, or used by the employing college or university if the employee has a valid Tennessee handgun carry permit. - Amends TCA Title 39 and Title 49. by *Holt, *Moody, *Hill T, *Kane, *Powers, *Ragan, *Williams, *Gravitt, *Doss, *Holsclaw, *Goins, *Littleton, *Sanderson, *Sparks, *Zachary, *Butt, *Van Huss, *Hill M, *DeBerry, *Keisling, *McCormick, *Dunn, *Carter, *Casada, *Eldridge, *Reedy, *Carr , *Halford, *Durham. (SB2376 by *Bell, *Stevens, *Bailey, *Bowling, *Gardenhire, *Gresham, *Roberts)

On motion, House Bill No. 1736 was made to conform with **Senate Bill No. 2376**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 2376 be passed on third and final consideration.

Rep. Carter moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 2, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 3, as House Amendment No. 4, be withdrawn, which motion prevailed.

Rep. Byrd moved the previous question, which motion prevailed by the following vote:

Ayes	63
Noes.....	27

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson,

WEDNESDAY, APRIL 20, 2016 – SIXTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

Sargent, Sexton C., Sexton J., Spivey, Swann, Terry, Todd, Travis, Van Huss, White D., White M., Williams, Windle, Womick, Zachary -- 63

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Dunn, Faison, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Smith, Stewart, Towns, Turner, Weaver -- 27

Rep. Holt moved that **Senate Bill No. 2376** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	24

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 69

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Fitzhugh, Gilmore, Hardaway, Hazlewood, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 24

A motion to reconsider was tabled.

***House Bill No. 721** -- Motor Vehicles, Titling and Registration - As introduced, exempts vehicles that are three years old and newer and that have an odometer reading of less than 36,000 miles from emissions testing requirements; requires owner or operator to submit affidavit certifying that the vehicle meets the criteria. - Amends TCA Title 55, Chapter 4, Part 1; Title 55, Chapter 6 and Title 68, Chapter 201. by *Pody, *Hardaway, *Rogers, *Byrd, *Lamberth. (SB777 by *Beavers, *Kelsey)

On motion, House Bill No. 721 was made to conform with **Senate Bill No. 777**; the Senate Bill was substituted for the House Bill.

Rep. Pody moved that Senate Bill No. 777 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 777 by deleting all language after the enacting clause and substituting instead the following:

4127

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Section 55-4-130, is amended by adding the following as a new subsection:

(h)

(1) Any county that has been designated by the air pollution control board to have a vehicle inspection and maintenance program to attain or maintain compliance with national ambient air standards, may, by an affirmative vote of a majority of its governing body, exempt motor vehicles that are registered in the county that are required to undergo testing pursuant to § 55-4-101(d)(2), § 55-4-104(e)(2), or § 55-6-105(a)(9) and that are three (3) or less model years old from those motor vehicle inspection requirements; provided, that the governing body shall authorize the exemption on or before December 31, 2016, and the presiding officer of the governing body shall furnish a certified copy of the approved resolution to the technical secretary of the air pollution control board on or before January 31, 2017.

(2)

(A) The exemption authorized by an action of a governing body pursuant to subdivision (h)(1) shall take effect on the January 1 following the date on which the United States Environmental Protection Agency (EPA) approves a revised state implementation plan consistent with this subsection (h); provided, however, that if on such January 1, a contract exists between the department and a contractor providing inspection services, or a local pollution control program and a contractor providing inspection services, then the exemption shall take effect in those jurisdictions that are covered by the contract upon the date of the contract's termination or expiration or the effective date of the contract's renewal or an applicable amendment to the inspection service fee of such contract.

(B)

(i) The commissioner of environment and conservation shall certify in writing to the executive secretary of the Tennessee code commission the date of the approval by the EPA described in subdivision (h)(2)(A) and provide the executive secretary of the commission with a copy of such approval.

(ii) If a contract exists on the January 1 following the date of approval of the revised state implementation plan, then the commissioner or the chief public officer of the local pollution control program, whichever is applicable, shall also certify in writing the date of the department's or local pollution control program's contract termination or

expiration or the effective date of the contract's renewal or an applicable amendment to the inspection service fee of such contract, and provide the executive secretary of the commission with a copy of the signed document.

SECTION 2. The air pollution control board is authorized to promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Pody moved that **Senate Bill No. 777**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	8

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Parkinson, Pitts, Pody, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 84

Representatives voting no were: Armstrong, Clemmons, Fitzhugh, Mitchell, Powell, Stewart, Towns, Turner -- 8

A motion to reconsider was tabled.

***House Bill No. 1652** -- Taxes, Sales - As introduced, changes date for annual sales tax holiday from the first weekend in August to the last weekend in July each year. - Amends TCA Section 67-6-393. by *Hawk, *Butt. (SB2239 by *Hensley, *Ketrone, *Roberts)

On motion, House Bill No. 1652 was made to conform with **Senate Bill No. 2239**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 2239 be passed on third and final consideration.

Rep. Coley moved the previous question, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 2239** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 92

A motion to reconsider was tabled.

House Bill No. 678 -- Taxes, Privilege - As introduced, phases out the privilege tax on persons engaged in certain occupations by annually decreasing it by 20 percent over the next five years; eliminates the tax in 2019 and thereafter. - Amends TCA Title 67, Chapter 4, Part 17. by *Van Huss, *Matheny, *Butt, *Hill M, *Keisling, *Holt, *Womick. (*SB556 by *Bowling, *Roberts)

On motion, House Bill No. 678 was made to conform with **Senate Bill No. 556**; the Senate Bill was substituted for the House Bill.

Rep. Van Huss moved that Senate Bill No. 556 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. Hill moved the previous question, which motion prevailed.

Rep. Van Huss moved that **Senate Bill No. 556** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn,

Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 90

A motion to reconsider was tabled.

***House Bill No. 2370** -- Correction, Dept. of - As introduced, imposes increased penalties for assault and aggravated assault committed against correctional officers, guards, jailers, or other employees of a penal institution; requires the department to provide a report each month detailing the number of assaults that occur in all correctional institutions. - Amends TCA Title 39, Chapter 13, Part 1 and Title 41. by *Stewart. (SB2424 by *Yarbro)

On motion, House Bill No. 2370 was made to conform with **Senate Bill No. 2424**; the Senate Bill was substituted for the House Bill.

Rep. Stewart moved that Senate Bill No. 2424 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Stewart moved that **Senate Bill No. 2424** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 92

A motion to reconsider was tabled.

House Bill No. 2530 -- Driver Licenses - As introduced, authorizes counties and cities to establish programs allowing indigent persons who have been convicted of driving while their license is suspended or revoked to complete community service in lieu of paying the fine or costs for the conviction. - Amends TCA Title 55. by *Stewart, *Gilmore, *Clemmons, *Favors, *Fitzhugh. (*SB2149 by *Tate)

Further consideration of House Bill No. 2530, previously considered on April 13, 2016, at which time the House adopted Amendment No. 1, and House Bill No. 2530 was re-referred to the Finance, Ways & Means Committee.

Rep. Stewart moved that House Bill No. 2530 be passed on third and final consideration.

Rep. Dunn moved that the House reconsider its action in adopting House Amendment No. 1, which motion prevailed.

Rep. Dunn moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Stewart moved that **House Bill No. 2530** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 92

A motion to reconsider was tabled.

***House Bill No. 2512** -- Unemployment Compensation - As introduced, requires the commissioner of labor and workforce development to publish the report concerning the condition of the unemployment trust fund during the first week of January and the first week of July of each year on the department's web site. - Amends TCA Title 50, Chapter 7. by *Holt, *Terry. (SB2481 by *Green)

On motion, House Bill No. 2512 was made to conform with **Senate Bill No. 2481**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 2481 be passed on third and final consideration.

Rep. Eldridge moved adoption of Consumer and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2481 by deleting all language after the enacting clause and substituting instead the following:

4132

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Section 50-7-302(a)(4), is amended by deleting the language:

The administrator shall conduct random verification audits of one thousand five hundred (1,500) claimants weekly to determine if claimants are complying with the requirement of contacting at least three (3) employers per week or accessing services at a career center. The administrator shall disqualify any claimant receiving benefits who the administrator finds, as the result of a random audit or on information provided to the administrator, has provided false work search information for a period of not less than eight (8) benefit weeks. In determining whether the claimant is making a reasonable effort to secure work, the administrator shall consider the customary methods of obtaining work in the claimant's usual occupation or any occupation for which the claimant is reasonably qualified, the current condition of the labor market, and any attachment the claimant may have to a regular job;

and substituting instead the language:

The administrator shall verify whether claimants are complying with the requirement of contacting at least three (3) employers per week or accessing services at a career center. The administrator shall disqualify any claimant receiving benefits who the administrator finds has provided false work search information. In determining whether the claimant is making a reasonable effort to secure work, the administrator shall consider the customary methods of obtaining work in the claimant's usual occupation or occupation for which the claimant is reasonably qualified, the current condition of the labor market, and any attachment the claimant may have to a regular job;

SECTION 2. Tennessee Code Annotated, Section 50-7-303(a)(1)(A), is amended by deleting the subdivision in its entirety and substituting instead the following:

(A) If the administrator finds that the claimant has left the claimant's most recent work voluntarily without good cause connected with the claimant's work. The disqualification shall be for the duration of the ensuing period of unemployment and until the claimant has secured subsequent employment covered by the unemployment compensation law of this state, another state, or the United States, and was paid wages by the subsequent employment ten (10) times the claimant's weekly benefit amount. This disqualification shall not apply to a claimant who left the claimant's work in good faith to join the armed forces of the United States;

SECTION 3. Tennessee Code Annotated, Section 50-7-303(a), is amended by adding the following appropriately designated subdivision:

() If the claimant is forced to leave the claimant's most recent work due to illness or injury not connected to the work, including, but not limited to, pregnancy. The leaving will be considered voluntary under this section and not a separation under subdivision (a)(2). The disqualification shall be for the duration of the ensuing period of unemployment and until the claimant has secured

subsequent employment covered by an unemployment compensation law of this state, another state, or the United States, and was paid wages by the subsequent employment ten (10) times the claimant's weekly benefit amount;

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 5. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to unemployment claims filed on or after that date.

On motion, Consumer and Human Resources Committee Amendment No. 1 was adopted.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, as follows:

Amendment No. 3

AMEND Senate Bill No. 2481 by deleting Section 2 and Section 3 of the bill as amended, substituting instead the following, and redesignating remaining sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 50-7-303(a)(1)(A), is amended by deleting the subdivision in its entirety and substituting instead the following:

(A)

(i) If the administrator finds that the claimant has left the claimant's most recent work voluntarily without good cause connected with the claimant's work. Except as otherwise provided in subdivision (a)(1)(A)(ii)(b), the disqualification shall be for the duration of the ensuing period of unemployment and until the claimant has secured subsequent employment covered by the unemployment compensation law of this state, another state, or the United States, and was paid wages by the subsequent employment ten (10) times the claimant's weekly benefit amount. This disqualification shall not apply to a claimant who left the claimant's work in good faith to join the armed forces of the United States;

(ii)

(a) A claimant who has left the claimant's most recent work due to sickness or disability, including, but not limited to, pregnancy, shall be considered to have left voluntarily without good cause for purposes of disqualification under subdivision (a)(1)(A)(i);

(b) Notwithstanding subdivision (a)(1)(A)(ii)(a), a claimant who has left the claimant's most recent work due to sickness or disability, including, but not limited to, pregnancy, shall become eligible for unemployment compensation upon providing proof satisfactory to the administrator that the claimant:

(1) Was forced to leave the claimant's most recent work because the claimant was sick or disabled, and such evidence is supported by competent medical proof;

(2) Provided notification to the claimant's most recent employer that the claimant was forced to leave as described in this subdivision (a)(1)(A)(ii) as soon as it was reasonably practical to do so;

(3) Was able to return to the claimant's most recent work, and such evidence is supported by competent medical proof;

(4) Returned to the claimant's most recent work and offered to work and perform the claimant's former duties once the claimant was able, and the employer did not reemploy the claimant; and

(5) Is otherwise eligible to receive benefits under this chapter;

(iii) Nothing in subdivision (a)(1)(A)(ii) shall entitle a claimant, retroactively or otherwise, to receive benefits for the period in which the claimant is unable to work;

On motion, Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Holt moved that **Senate Bill No. 2481**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes.....	19
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell,

Hulsey, Jenkins, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Travis, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 70

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Gilmore, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Shaw, Shepard, Stewart, Towns, Turner -- 19

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2481** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR, CONTINUED

***House Bill No. 587** -- Sentencing - As introduced, creates a new sentencing enhancement factor when the defendant committed the offense of robbery, aggravated robbery, or especially aggravated robbery on the premises of a licensed pharmacy in an effort to unlawfully obtain, sell, give, or exchange a controlled substance, controlled substance analogue, or other illegal drug. - Amends TCA Section 40-35-114. by *Shepard, *Todd. (SB593 by *Haile)

On motion, House Bill No. 587 was made to conform with **Senate Bill No. 593**; the Senate Bill was substituted for the House Bill.

Rep. Shepard moved that Senate Bill No. 593 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Shepard moved that **Senate Bill No. 593** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins,

Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 91

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Forgety voted "aye" on **Senate Bill No. 593**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1707** -- Holidays and Days of Special Observance - As introduced, establishes the day after Thanksgiving Day as Native American Heritage Day in Tennessee. - Amends TCA Title 15. by *Hardaway, *Casada, *Mitchell, *Towns, *Turner, *Parkinson. (SB1745 by *Crowe, *Harris, *Hensley, *Kyle, *Niceley)

Further consideration of House Bill No. 1707, previously objected to on the Consent Calendar for April 11, 2016, further considered on April 13, 2016, at which time it was held on the desk, further considered on April 19, 2016 and today's Calendar.

On motion, House Bill No. 1707 was made to conform with **Senate Bill No. 1745**; the Senate Bill was substituted for the House Bill.

Rep. Hardaway moved that Senate Bill No. 1745 be passed on third and final consideration.

Rep. Terry moved that the House consider House Amendment No. 1, which motion prevailed by the following vote:

Ayes	91
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 91

Rep. Terry moved adoption of House Amendment No. 1 as follows:

4137

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Amendment No. 1

AMEND Senate Bill No. 1745 by deleting all language after the caption and substituting instead the following:

WHEREAS, Native Americans are the descendants of the aboriginal, indigenous, and native people who were the original inhabitants of the United States and Tennessee; and

WHEREAS, Native Americans have volunteered to serve in the United States Armed Forces and have served with valor in all of the nation's military actions from the Revolutionary War through the present day, and in most of those actions, more Native Americans per capita served in the Armed Forces than any other group of Americans; and

WHEREAS, Native Americans have made distinct and significant contributions to the United States, Tennessee, and the rest of the world in many fields, including agriculture, medicine, music, language, and art, and Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars; and

WHEREAS, Native Americans should be recognized for their contributions to the United States and Tennessee as local and national leaders, artists, athletes, and scholars; and

WHEREAS, statewide recognition of the contributions that Native Americans have made to the fabric of American society will afford an opportunity for all Tennesseans to demonstrate their respect and admiration of Native Americans for their important contributions to the political, cultural, and economic life of this country and state; and

WHEREAS, statewide recognition of the contributions that Native Americans have made to this nation will encourage self-esteem, pride, and self-awareness in Native Americans of all ages; and

WHEREAS, the Native American Heritage Day Act was supported by one hundred eighty-four (184) federally recognized tribes; and

WHEREAS, the Native American Heritage Day Act was signed into public law by President George W. Bush on October 8, 2008; and

WHEREAS, designation of the Friday following Thanksgiving of each year as Native American Heritage Day will underscore the government-to-government relationship between the Tennessee and Native American governments; and

WHEREAS, designation of Native American Heritage Day will encourage public elementary and secondary schools in Tennessee to enhance understanding of Native Americans by providing curricula and classroom instruction focusing on the achievements and contributions of Native Americans to this nation; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following as a new section:

(a) The day after Thanksgiving Day each year shall be observed as "Native American Heritage Day", to be proclaimed as that day by the governor, to encourage the people of this state and interested groups and organizations to observe the day with appropriate programs, ceremonies, and activities, including activities relating to:

(1) The historical status of Native American tribal governments as well as the present day status of Native Americans;

(2) The cultures, traditions, and languages of Native Americans; and

(3) The rich Native American cultural legacy that all Americans enjoy today.

(b) Notwithstanding subsection (a), if Native American Heritage Day is changed by Congress, then Tennessee shall observe the same day for the purposes of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. M. Hill moved the previous question on House Amendment No. 1 , which motion prevailed.

On motion, House Amendment No. 1 was adopted by the following vote:

Ayes	48
Noes.....	24
Present and not voting.....	4

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks K., Butt, Camper, Carter, Casada, Clemmons, Daniel, DeBerry, Doss, Dunlap, Durham, Eldridge, Faison, Fitzhugh, Halford, Hardaway, Hazlewood, Holt, Jenkins, Jernigan, Jones, Kumar, Lynn, Matheny, McDaniel, McManus, Mitchell, Moody, Parkinson, Pitts, Pody, Ragan, Sargent, Sexton C., Shepard, Smith, Sparks, Stewart, Swann, Terry, Towns, Travis, Turner, Windle, Womick -- 48

Representatives voting no were: Brooks H., Byrd, Carr, Coley, Farmer, Goins, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Keisling, Lamberth, Lollar, Marsh, Reedy, Sanderson, Sexton J., Shaw, Todd, Van Huss, Williams, Zachary -- 24

Representatives present and not voting were: Dunn, Gravitt, Kane, Powell -- 4

BILL RE-REFERRED

Rep. Terry moved that **Senate Bill No. 1745** be re-referred to the State Government Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 1796 -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67, Chapter 5. by *Overbey, *McNally, *Norris, *Gresham, *Green, *Watson, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager, *Yarbro, *Ramsey. (*HB2156 by *Ragan, *Rogers, *Johnson, *Gravitt)

Further consideration of Senate Bill No. 1796, previously considered on today's Calendar, at which time the House substituted the Senate Bill for the House Bill, rolled Amendments Nos 1 and 2 to the heel and was on the motion to adopt House Amendment No. 3.

Rep. Ragan requested that Senate Bill No. 1796 be moved to the heel of the Calendar, which motion prevailed.

Senate Bill No. 47 -- Taxes, Income - As introduced, contingent upon revenue growth exceeding three percent in any fiscal year, reduces the Hall income tax until it reaches zero percent; for each rate reduction, increases the percentage of tax proceeds returned to local governments until it reaches 100 percent and decreases the percentage returned to the general fund until it reaches zero percent. - Amends TCA Title 67, Chapter 2. by *Green, *Yager, *Gresham, *Ketron, *Tracy, *Bell, *Massey, *Crowe, *Gardenhire, *Bowling, *Bailey, *Jackson, *Beavers, *Roberts, *Watson, *Ramsey, *Kelsey, *Norris, *Haile, *Briggs, *Dickerson, *Overbey, *Hensley, *Niceley, *Southerland, *Stevens. (*HB813 by *Sargent, *Matlock, *Haynes, *Kane, *Moody, *Littleton, *Brooks K, *Casada, *Sexton C, *Carter, *Travis, *Johnson, *Lynn, *Butt, *Sexton J, *Calfee, *Farmer, *Williams, *Lamberth, *Terry, *White D, *Alexander, *McCormick, *Todd, *Eldridge)

Further consideration of Senate Bill No. 47, previously considered on today's, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendments Nos. 1 and 2, and the House was on the motion to adopt Amendment No. 3.

Rep. Spivey moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 47 by deleting SECTION 3 and substituting instead the following:

4140

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SECTION 3. Tennessee Code Annotated, Title 67, Chapter 2, is amended by adding the following as a new section:

(a) The reduction to the rate of tax made by this act shall not absolve any taxpayer of liability for any tax duly levied by this chapter, during a tax year that began prior to January 1, 2016.

(b) Beginning in fiscal year 2015-2016 and subsequent fiscal years, on June 15 of each fiscal year, the commissioner of finance and administration, in consultation with the commissioner of revenue, shall determine whether state revenue growth exceeded an average of three percent (3%) over the previous fiscal year, and shall notify the governor, speaker of the senate, speaker of the house of representatives, and state treasurer in writing of such determination.

(c) Notwithstanding this chapter to the contrary, in any fiscal year in which the commissioner of finance and administration determines that state revenue growth exceeded an average of three percent (3%) over the previous fiscal year under subsection (b), the rate of tax upon income from stocks and bonds shall be adjusted by reducing the rate by one percent (1%) on January 1 for the following calendar year. The rate of taxation resulting from such one-percent reduction shall be the applicable rate for all subsequent calendar years and shall remain in effect until such time in subsequent calendar years when the growth formula specified in subsection (b) warrants a further reduction.

(d) As used in this section, "state revenue growth" means, for any fiscal year, the percentage increase in revenue derived from state taxes that are collected by the state and deposited into the general fund.

(e) The commissioner of revenue is authorized to promulgate rules as the commissioner may deem necessary to effectuate this section. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. Notwithstanding § 4-5-208 to the contrary, the commissioner is authorized to promulgate emergency rules to implement this section.

(f) On January 1 of any calendar year in which the sixth qualifying reduction occurs, the rate is zero percent (0.0%) and, on and after such date, no tax shall be imposed pursuant to this section; provided, that this subsection (f) shall not absolve any taxpayer of liability for any tax duly levied by this section during any taxpayer's tax year beginning prior to such date.

(g) It is the legislative intent that the general assembly eliminate the tax imposed by this chapter for tax years beginning on or after January 1, 2021.

Rep. Lollar moved that Senate Bill No. 47 be re-referred to the Finance, Ways & Means Committee.

Rep. Lollar withdrew the motion to re-refer, which motion prevailed.

Rep. McCormick moved the previous question on House Amendment No. 3 , which motion prevailed.

On motion, House Amendment No. 3 was adopted.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on motion to adopt Amendment No. 3 to **Senate Bill No. 47** and have this statement entered in the Journal: Reps. Coley, Lollar, Todd and M. White.

BILL RE-REFERRED

Rep. Lollar moved that **Senate Bill No. 47** be re-referred to the Finance, Ways & Means Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 2364** -- Water Authorities - As introduced, sunsets the Hamilton County water and wastewater treatment authority created pursuant to this state's Water and Wastewater Treatment Authority Act, July 1, 2021. - Amends TCA Title 68, Chapter 221, Part 6. by *Carter. (SB2364 by *Watson)

Further consideration of Senate Bill No. 2364, previously considered on today's Calendar at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment No. 1 and adopted Amendment No. 2.

Rep. Hazlewood moved that the House consider House Amendment No. 3, which motion prevailed by the following vote:

Ayes	84
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 84

Rep. Hazlewood moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2364 by deleting the language “July 1, 2019” in subsection (a) of Section 1 and substituting instead the language “July 1, 2021”.

AND FURTHER AMEND by deleting the language “July 1, 2019” in subdivision (d)(3) of Section 1 and substituting instead the language “July 1, 2021”.

On motion, House Amendment No. 3 was adopted.

Rep. Gravitt moved the previous question, which motion failed by the following vote:

Ayes	54
Noes.....	28

Representatives voting aye were: Alexander, Brooks K., Butt, Carr, Carter, Casada, Coley, Daniel, Durham, Eldridge, Faison, Forgety, Gravitt, Halford, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, Matlock, McManus, Moody, Pody, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Smith, Sparks, Spivey, Swann, Todd, Travis, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 54

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Dunlap, Fitzhugh, Gilmore, Goins, Hardaway, Hawk, Hicks, Jones, Love, McCormick, Mitchell, Powell, Ragan, Sexton J., Shaw, Shepard, Stewart, Towns, Turner, Van Huss -- 28

After further discussion, Rep. Carter moved that **Senate Bill No. 2364**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

A motion to reconsider was tabled.

***Senate Bill No. 2586** -- Children - As introduced, enacts the "Juvenile Justice Realignment Act"; creates a task force to study the creation of a department of juvenile justice. - Amends TCA Title 4; Title 8 and Title 37. by *Norris, *Overbey. (HB1960 by *Camper, *Turner)

Further consideration of Senate Bill No. 2586, previously considered on today's Calendar at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment No. 1, adopted Amendment No. 2 and 3 and was on the motion to re-refer to Finance, Way & Means Committee.

Rep. Casada moved to withdraw the motion to re-refer, which motion prevailed.

Rep. Casada moved that the House reconsider its action in adopting House Amendment No. 3, which motion prevailed.

Rep. Casada moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Camper moved that **Senate Bill No. 2586**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 88

A motion to reconsider was tabled.

Senate Bill No. 1796 -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67,

Chapter 5. by *Overbey, *McNally, *Norris, *Gresham, *Green, *Watson, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Yager, *Yarbro, *Ramsey. (*HB2156 by *Ragan, *Rogers, *Johnson, *Gravitt)

Further consideration of Senate Bill No. 1796, previously considered on today's Calendar, at which time the House substituted the Senate Bill for the House Bill, rolled Amendments Nos 1 and 2 to the heel and was on the motion to adopt House Amendment No. 3.

Rep. McCormick moved that **Senate Bill No. 1796** be reset for the Regular Calendar on April 21, 2016, which motion prevailed.

RECESS MOTION

Rep. McCormick moved that the House stand in recess until 7:30 p.m., which motion prevailed.

RECESS EXPIRED

The recess having expired, the House was called to order by Speaker Pro Temp Johnson.

ROLL CALL DISPENSED

On motion of Rep. McCormick the roll call was dispensed with.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 726** -- Election Laws - As introduced, requires, when notice must be made by a board or commission created under the election laws of this state, that such notice be made by United States mail to all registered voters instead of by publication in a newspaper of general circulation. - Amends TCA Title 2; Title 4; Title 5; Title 6 and Title 7. by *Pody, *Van Huss, *Carr . (SB787 by *Beavers)

Senate Amendment No. 1

AMEND House Bill No. 726 by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 2-7-111, is amended by adding the following language as a new, appropriately designated subsection:

(1) On the day a publicly or privately owned building is used as a polling place, campaign signs or posters may be placed on the building's property where the polling place is located; provided, that the campaign signs or posters shall comply with the one hundred-foot requirement in subsection (a).

(2) Nothing in this section shall require a person to hold the campaign signs. The campaign signs may be placed in the ground on the property.

SECTION 2. Tennessee Code Annotated, Section 2-12-103(b)(2), is amended by adding the following sentence at the end of the subdivision:

The chair of the county election commission shall be a member of the majority party, and the secretary shall be a member of a minority party.

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.

Rep. Pody moved that the House concur in Senate Amendment No. 1, as amended, to **House Bill No. 726**, which motion prevailed by the following vote:

Ayes	65
Noes.....	8
Present and not voting.....	2

Representatives voting aye were: Alexander, Brooks K., Butt, Byrd, Carr, Carter, Casada, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hardaway, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pitts, Pody, Ragan, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Turner, Van Huss, Weaver, White M., Williams, Windle, Wirgau, Zachary -- 65

Representatives voting no were: Beck, Clemmons, Dunlap, Jernigan, Mitchell, Powell, Stewart, Towns -- 8

Representatives present and not voting were: Akbari, Camper -- 2

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1427** -- Criminal Procedure - As introduced, requires law enforcement officers to do NCIC criminal records check upon each arrest, creates a statutory procedure for bail revocation hearing for the denial of bail based on criminal act while on bail; requires special bail conditions if person has prior DUI offenses. - Amends TCA Title 40. by *White M, *Hardaway, *Akbari, *Love, *Lamberth, *Lollar, *Powers, *McManus, *Byrd. (SB2576 by *Norris)

Senate Amendment No. 3

AMEND House Bill No. 1427 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following as a new section:

40-11-153.

(a) After an officer arrests a person for one (1) of the offenses listed in this subsection (a), but prior to the determination of bail for the arrest offense by the judge or magistrate, the arresting officer or the officer's agency shall exercise due diligence in determining the existence of prior arrests for, and violations of, § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401.

(b) Using due diligence to determine a person's criminal history means the officer makes use of all available databases, including the Tennessee bureau of investigation interstate identification index (III), the Tennessee criminal history database, driver license history, relevant information related to those prior convictions provided pursuant to § 40-6-203, and other official records regarding the person's prior criminal and arrest history to which the officer or officer's agency has access.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

Rep. M. White moved that the House concur in Senate Amendment No. 3 to **House Bill No. 1427**, which motion prevailed by the following vote:

Ayes 87
Noes 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 87

Representatives voting no were: Kane -- 1

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. DeBerry voted "aye" on the motion to concur in Senate Amendment No. 3 to **House Bill No. 1427**.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1476** -- Children - As introduced, expands the authority of a court to order grandparent visitation when the child is not in the custody of the parent and when the grandparent's relationship has been significantly reduced, rather than severed. - Amends TCA Title 36, Chapter 6, Part 3. by *Zachary, *Howell, *Favors, *Windle, *Love, *Akbari. (SB1670 by *McNally, *Haile, *Tracy, *Bailey)

Senate Amendment No. 1

AMEND House Bill No. 1476 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-306(a), is amended by deleting the subsection and substituting instead the following:

(a) Any of the following circumstances, when presented in a petition for grandparent visitation to the circuit, chancery, general sessions courts with domestic relations jurisdiction, or juvenile court in matters involving children born out of wedlock of the county in which the petitioned child currently resides, necessitates a hearing if such grandparent visitation is opposed by the custodial parent or parents or custodian or if the grandparent visitation has been severely reduced by the custodial parent or parents or custodian:

- (1) The father or mother of an unmarried minor child is deceased;
- (2) The child's father or mother are divorced, legally separated, or were never married to each other;
- (3) The child's father or mother has been missing for not less than six (6) months;
- (4) The court of another state has ordered grandparent visitation;

(5) The child resided in the home of the grandparent for a period of twelve (12) months or more and was subsequently removed from the home by the parent, parents, or custodian (this grandparent-grandchild relationship establishes a rebuttable presumption that denial of visitation may result in irreparable harm to the child); or

(6) The child and the grandparent maintained a significant existing relationship for a period of twelve (12) months or more immediately preceding severance or severe reduction of the relationship, this relationship was severed or severely reduced by the parent, parents, or custodian for reasons other than abuse or presence of a danger of substantial harm to the child, and severance or severe reduction of this relationship is likely to occasion substantial emotional harm to the child.

SECTION 2. Tennessee Code Annotated, Section 36-6-306(b), is amended by deleting the word "loss" wherever it appears and substituting instead the words "loss or severe reduction".

SECTION 3. Tennessee Code Annotated, Section 36-6-306(b), is further amended by deleting the word "cessation" wherever it appears and substituting instead the words "cessation or severe reduction".

SECTION 4. Tennessee Code Annotated, Section 36-6-306, is amended by adding the following language as a new, appropriately designated subsection:

For purposes of this section, "severe reduction" or "severely reduced" means reduction to no contact or token visitation as defined in § 36-1-102(1).

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Zachary moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1476**, which motion prevailed by the following vote:

Ayes	83
Noes.....	6

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 83

Representatives voting no were: Clemmons, Dunlap, Fitzhugh, Jones, Stewart, Towns --
6

A motion to reconsider was tabled.

Rep. Zachary moved that the House non-concur in Senate Amendment No. 2 to House Bill No. 1476, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGES

***House Bill No. 1527** -- Remedies and Special Proceedings - As introduced, requires the court to appoint as commissioners three landowners agreed upon by the parties or three landowners randomly selected from names submitted by the parties in actions seeking the partitioning of real property. - Amends TCA Title 29, Chapter 27. by *Matlock. (SB1692 by *Bell)

Rep. McCormick moved that **House Bill No. 1527** be reset for the next available Message Calendar, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGES

MOTION TO RECONSIDER

Senate Bill No. 1979 -- Medical Occupations - As introduced, creates a 21-member task force to study issues related to healthcare services; specifies that the task force will make a report and cease to exist by January 15, 2017. - Amends TCA Title 63, Chapter 7. by *Massey, *Crowe, *Jackson, *Overbey, *Yarbro, *Bowling, *Yager. (*HB2088 by *Faison, *DeBerry, *Favors, *Lamberth, *Sexton C, *Dunlap, *Todd, *Hardaway, *White M, *Byrd, *Clemmons, *Gilmore, *Lollar, *Goins, *Fitzhugh)

Rep. Faison moved to lift from the table the motion to reconsider action in passing Senate Bill No. 1979, which motion prevailed.

Rep. Faison moved to reconsider action in passing Senate Bill No. 1979, which motion prevailed.

Rep. Faison moved that Senate Bill No. 1979 be passed on third and final consideration.

Rep. Sargent moved that the House reconsider its action in adopting House Amendment No. 2, which motion prevailed.

Rep. Sargent moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1979** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 87

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1979** and have this statement entered in the Journal: Rep. Terry.

MESSAGE CALENDAR NO. 2

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 255** -- Nuisances - As introduced, prohibits a court from imposing a temporary injunction restraining a nuisance prior to a hearing when the defendant is the owner of the property and not the person keeping, maintaining, or carrying on the nuisance; permits a court to dismiss or continue a nuisance action if the property owner has taken steps to abate the nuisance after receiving notice. - Amends TCA Title 29, Chapter 3. by *Shaw, *Rogers. (SB1200 by *Yarbro, *Bowling)

Senate Amendment No. 1

AMEND House Bill No. 255 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 29-3-106, is amended by redesignating subsection (a) as subdivision (a)(1) and adding the following as a new subdivision:

(2) Notwithstanding subsection (c), if a defendant, who is the owner of the property and not the person keeping, maintaining, or carrying on the nuisance, demonstrates that the defendant was unaware of the nuisance prior to receiving the notice required by this subsection (a), and that the defendant has

voluntarily taken steps after receiving notice to abate the nuisance without the involvement of the court, the court may dismiss the petition or continue the action pending further action by the defendant.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

Rep. Shaw moved that the House concur in Senate Amendment No. 1 to **House Bill No. 255**, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 88

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 978 -- Codes - As introduced, enacts the "Tennessee Native Species Lumber Act." - Amends TCA Title 5; Title 6; Title 43, Chapter 28, Part 3 and Title 68, Chapter 120. by *Hill M. (*SB822 by *Bailey)

Senate Amendment No. 1

AMEND House Bill No. 978 by deleting all of the language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 43, Chapter 28, Part 3, is amended by adding the following as a new, appropriately designated section:

(a) This section shall be known and may be cited as the "Tennessee Native Species Lumber Act."

(b) As used in this section:

(1) "Agricultural building" means any structure used primarily for agricultural purposes or for forest product production;

(2) “Commercial sawmill” means any type of sawmill that produces lumber for sale;

(3) “End user” means any person who purchases native lumber from a commercial sawmill for the purpose of residential construction;

(4) “Grader” means the owner of a commercial sawmill, or the owner’s designated employee, who has visually inspected each piece of lumber; and

(5) “Native timber” means any hardwood or softwood species growing within the borders of this state.

(c)

(1) The operator of any commercial sawmill that is certified to grade lumber pursuant to subsection (d) may, when requested by the end user of the native lumber, certify in writing to the purchaser that the quality and safe working stresses of the lumber are equal to or better than No. 2 grade, in accordance with the conditions set forth in the American Softwood Standard PS 20–70 of the United States department of commerce, as amended; provided, that the minimum grade of lumber used in load-bearing wall members shall be stud grade.

(2) The certification provided pursuant to subdivision (c)(1) shall include:

(A) The name of the wood species;

(B) The quantity of wood certified;

(C) The location where the wood is to be used;

(D) Whether or not the wood is seasoned;

(E) The name of the commercial sawmill where the wood was cut;

(F) The name of the grader; and

(G) The date on which the wood was cut at the commercial sawmill and graded.

(3)

(A) Upon the request of the local building official, the end user shall provide written certification of the quality and safe working stresses of the native lumber provided by the commercial

sawmill operator pursuant to subdivision (c)(1), as part of the building permit application.

(B) The certification provided pursuant to subdivision (c)(3)(A) shall be accepted by code officials in lieu of any grade stamp requirements.

(d)

(1) The University of Tennessee shall, through its agriculture extension service, offer a course in grading lumber to owners of commercial sawmills and the owners' designated employees. Any person who successfully completes the lumber grading course will be issued a certificate that entitles the certificate holder to grade lumber pursuant to this section. The course shall be offered biannually in each of the three (3) grand divisions of this state.

(2) The department of agriculture shall promulgate rules to implement and administer the certification program created by subdivision (b)(1), including, but not limited to, establishing a course fee in an amount sufficient to defray the cost of implementing and administering the certification program.

(e) Any person who uses the native timber harvested from and used entirely on the person's own property shall, if required, certify that the lumber meets the requirements of any building codes.

(f) No certification of native lumber shall be required in the construction of an agricultural building.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. M. Hill moved that the House concur in Senate Amendment No. 1 to **House Bill No. 978**, which motion prevailed by the following vote:

Ayes	87
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 87

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 985 -- County Government - As introduced, disqualifies any county government employee from serving as a member of the county legislative body; exempts current members of the county legislative body. - Amends TCA Title 2; Title 5; Title 6; Title 7; Title 8 and Title 12. by *Rogers, *Ragan, *Keisling, *Sexton J, *Weaver, *Holt, *Matlock, *Reedy, *Casada, *Wirgau, *Howell, *Parkinson, *Hardaway. (*SB466 by *Bell, *Beavers, *Gardenhire)

Senate Amendment No. 1

AMEND House Bill No. 985 by adding the following language as a new subsection to SECTION 2:

() The legislative body of any metropolitan form of government or charter form of government may opt out of this section by resolution.

AND FURTHER AMEND by adding the following language as a new subdivision to SECTION 4:

() The legislative body of any metropolitan form of government or charter form of government may opt out of this subsection (c) by resolution.

Rep. Rogers moved that the House concur in Senate Amendment No. 1 to **House Bill No. 985**, which motion prevailed by the following vote:

Ayes	82
Noes.....	5
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulse, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 82

Representatives voting no were: Akbari, Dunlap, Lamberth, Parkinson, Windle -- 5

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Stewart voted "aye" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 985**.

MESSAGE CALENDAR NO. 2, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1413 -- Child Custody and Support - As introduced, prior to awarding custody of a minor child, requires a court to determine whether a person who may be awarded custody has been placed on the abuse registry maintained by the department of health and, if so, to consider such placement as a factor in determining the child's best interest. - Amends TCA Title 36; Title 37 and Title 68. by *Hardaway, *Kane, *Eldridge, *Coley, *Spivey, *Matlock, *Powell, *Armstrong, *Rogers, *Parkinson. (*SB1436 by *Kyle, *Haile)

Senate Amendment No. 1

AMEND House Bill No. 1413 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-106, is amended by adding the following new, appropriately designated subsection:

If the petitioner knows whether a child has ever been adjudicated by a court as a dependent and neglected or abused child or whether any party to the action has ever been adjudicated by a court as the perpetrator of dependency and neglect or abuse of a minor child, any petition regarding child custody shall include an affirmative statement setting out all applicable adjudications. If an adjudication has occurred as a result of a child protective services investigation, the court may order the department of children's services to disclose information regarding the investigation to protect the child from abuse or neglect consistent with § 37-1-612(h). The court shall consider any such information as a factor in determining the child's best interest.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to custody determinations made on or after that date.

Rep. Hardaway moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1413**, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn,

Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1511** -- Traffic Safety - As introduced, redesignates, from nonmoving to moving, traffic violations for transmitting or reading written messages on hand-held devices while driving; requires points to be assessed for such violations. - Amends TCA Title 55, Chapter 8. by *Lollar, *Hardaway, *Parkinson. (SB1589 by *Jackson)

Senate Amendment No. 2

AMEND House Bill No. 1511 by deleting subsection (f) in SECTION 1 as amended and substituting instead the following:

(f) A traffic citation that is based solely upon a violation of this section shall be considered a moving traffic violation.

Rep. Lollar moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1511**, which motion prevailed by the following vote:

Ayes 73
Noes..... 14

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Powell, Ragan, Reedy, Rogers, Sanderson, Sargent, Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Turner, Weaver, White D., White M., Williams, Wirgau, Womick -- 73

Representatives voting no were: Durham, Goins, Hill M., Holt, Jones, Parkinson, Pody, Sexton C., Sexton J., Towns, Travis, Van Huss, Windle, Zachary -- 14

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on motion to concur in Senate Amendment No. 2 to **House Bill No. 1511** and have this statement entered in the Journal: Reps. Byrd, Sparks and Terry.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" motion to concur in Senate Amendment No. 2 to **House Bill No. 1511** and have this statement entered in the Journal: Rep. J. Sexton.

MESSAGE CALENDAR NO. 2, CONTINUED

HOUSE ACTION ON SENATE MESSAGES

House Bill No. 1977 -- TennCare - As introduced, requires the bureau of TennCare and the health care financing administration to continue to use technical assistance groups of healthcare providers in developing and implementing any payment reform initiative using episodes of care; requires the bureau to report on recommendations from the groups and actions taken in response to the recommendations in quarterly reports to the general assembly. - Amends TCA Title 4 and Title 71. by *Ramsey. (*SB1722 by *Crowe, *Watson)

Rep. McCormick requested that House Bill No. 1977 be moved down heel of Message Calendar No. 3 on today's Calendar, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2144** -- Controlled Substances - As introduced, excludes from the definition of marijuana, the cannabis plant, with less than 0.9 percent THC, including seeds, resins, and oils, if used by a four-year institution of higher education in the state as part of certain clinical research studies. - Amends TCA Section 39-17-402 and Chapter 936 of the Public Acts of 2014. by *Faison, *Parkinson, *Hardaway. (SB2125 by *Niceley, *Bowling)

Rep. Faison moved that the House non-concur in Senate Amendment No. 1 to House Bill No. 2144, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

Senate Bill No. 2190 -- Guardians and Conservators - As introduced, establishes protections for the rights of a ward of a conservator, including the right to receive communications, visitation, and interaction with other persons; requires a conservator to notify certain persons when certain events occur. - Amends TCA Title 34, Chapter 1; Title 34, Chapter 3 and Title 71, Chapter 6, Part 1. by *Crowe, *Kelsey, *Johnson, *Tate. (*HB2030 by *Faison)

Rep. Faison moved that the House refuse to recede from its action in adopting House Amendments Nos. 1 and 2 to **Senate Bill No. 2190**, which motion prevailed.

MESSAGE CALENDAR NO. 3

HOUSE ACTION ON SENATE AMENDMENTS

***Senate Bill No. 396** -- Alcoholic Beverages - As introduced, permits the sale of alcoholic beverages at retail in the unincorporated areas of the county under certain circumstances; redefines a municipality to include an incorporated town or city having a population of 925, instead of 1,000; authorizes a county to limit the location and number of retail package stores in the unincorporated areas of the county under certain circumstances. - Amends TCA Title 57. by *Bailey. (HB634 by *Sexton C)

Rep. C. Sexton moved that the House refuse to recede from its action in adopting House Amendment No. 2 to **Senate Bill No. 396**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1270** -- Victims' Rights - As introduced, adds victims of domestic assault, violation of an order of protection or restraining order, stalking, and domestic victims of vandalism and false imprisonment to those who receive victims' rights as set out in title 40, chapter 38, part 3. - Amends TCA Title 40, Chapter 38. by *Hardaway, *Jones, *Akbari, *Love, *DeBerry, *Cooper, *Towns, *Miller, *Gilmore, *Turner. (SB1372 by *Kyle)

Senate Amendment No. 3

AMEND House Bill No. 1270 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) When a law enforcement officer responds to a report of a crime, and the crime is one (1) of the crimes listed in subsection (b), the officer shall inform the alleged victim of the Tennessee statewide automated victim information and notification service created by title 40, chapter 38, part 5, provided by the Tennessee Sheriffs' Association. The officer shall provide written informational materials, if available, and briefly explain the purpose of the program and the requirements for participating. If the alleged victim is injured or otherwise unable to understand the officer, the officer shall leave materials, if available, regarding the notification system with the alleged victim.

(b) The offenses to which this section applies are:

(1) Domestic assault, as prohibited by § 39-13-111;

(2) Vandalism, as prohibited by § 39-14-408, or false imprisonment, as prohibited by § 39-13-302, where the victim of the offense is a domestic abuse victim, as defined in § 36-3-601(5);

(3) Violation of an order of protection or restraining order, as prohibited by § 39-13-113; and

(4) Stalking, as prohibited by § 39-17-315.

(c) Any law enforcement agency that does not already have written informational materials regarding the Tennessee statewide automated victim information and notification service shall, by July 1, 2016, obtain a supply, if available, from the victim witness coordinator in the district attorneys general office or from the Tennessee Sheriffs' Association.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

Rep. Hardaway moved that the House concur in Senate Amendment No. 3 to **House Bill No. 1270**, which motion prevailed by the following vote:

Ayes 86
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulse, Jenkins, Jernigan, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 86

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2087** -- County Government - As introduced, requires the state treasurer to make the annual report of the educational incentives paid to each county available in an electronic format. - Amends TCA Title 5. by *Keisling. (SB2128 by *Bailey, *Yager, *Bowling)

Senate Amendment No. 2

4160

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 2087 by deleting the language "SECTION 16" from the penultimate section of the bill and substituting instead the language "SECTION 17" and deleting the language "SECTION 17" from the final section of the bill and substituting instead the language "SECTION 18".

Rep. Keisling moved that the House concur in Senate Amendment No. 2 to **House Bill No. 2087**, which motion prevailed by the following vote:

Ayes 87
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Jenkins, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 87

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2119** -- Utilities, Utility Districts - As introduced, prohibits a city, town, municipality, or utility district from recovering charges or penalties for the furnishing of water, wastewater, or sewer services to a utility user from any property owner who is not a party to the contract for services. - Amends TCA Title 7; Title 65; Title 66 and Title 68. by *Gravitt, *McCormick, *Favors, *Hazlewood. (SB2370 by *Watson, *Gardenhire)

Senate Amendment No. 2

AMEND House Bill No. 2119 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 221, Part 6, is amended by adding the following language as a new section:

(a)

(1) An authority shall not require a property owner who leases residential property, the property owner's agent, or a subsequent tenant of the property to pay or to guarantee the payment of charges, penalties,

or other fees owed to the authority that were incurred by a former tenant of such property owner or agent.

(2) The payment restriction in subdivision (a)(1) shall only apply from September 1, 2016, to December 31, 2016.

(b)

(1) An authority shall create a written acknowledgement for the provision of services, to be made available to a property owner who leases residential property or the property owner's agent and to be completed by a tenant at the time the tenant enters into or renews a residential rental agreement. The written acknowledgement shall be used by the authority in the collection of all charges, penalties, or other fees owed to the authority by the tenant, and shall require the tenant to supply the following information:

(A) The name, social security number, telephone number, driver license number, electronic mail address, and employer, as applicable, of the tenant entering into or renewing a residential rental agreement with the property owner or property owner's agent; and

(B) Any other information the authority deems reasonably necessary for the collection of such charges, penalties, or other fees owed to the authority by the tenant.

(2)

(A) The property owner or the property owner's agent shall submit a copy of the written acknowledgement to the authority within one (1) business day of the completion of the written acknowledgement by the tenant.

(B) Upon the submission of the written acknowledgement by a property owner or a property owner's agent to the authority, the authority shall not recover from the property owner, property owner's agent, or subsequent tenant of the property any delinquent charges, penalties, or other fees incurred by the tenant.

(3) The authority shall confirm in writing the receipt of the tenant's written acknowledgement to the property owner or the property owner's agent within two (2) business days of receiving the acknowledgement from the property owner or the property owner's agent, at which time the acknowledgment shall be deemed a properly executed contract.

(4)

(A) A property owner or property owner's agent may refuse to enter into or renew a residential rental agreement with a prospective tenant who fails to provide the information required under subdivision (b)(1).

(B) If a property owner or property owner's agent enters into or renews a residential rental agreement with a tenant who fails to provide the information required under subdivision (b)(1), then the property owner or property owner's agent shall be liable to the authority for any delinquent charges, penalties, and other fees incurred by the tenant.

(c) A property owner or property owner's agent acting pursuant to this section shall not be liable for the release of information contained in a contract executed pursuant to subdivision (b)(3), or the unintentional release of such information to a third party; nor shall an authority be liable for the release of the information for collection purposes.

(d) In addition to the process prescribed pursuant to subsection (b), and notwithstanding any provision of this part to the contrary, an authority may require:

(1) A deposit of up to three (3) months of the average monthly water and wastewater fee, as determined by an authority, to be included as part of the tenant's first monthly billing statement; and

(2) The recovery of reasonable attorney fees against the tenant to the contract for the collection of charges, penalties, or other fees owed to the authority.

(e) This section shall only apply to residential rental agreements that do not utilize submetering or prorated billing by an allocation formula for the leased residential property in counties having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 federal census or any subsequent federal census.

SECTION 2. For the purposes of implementing the payment restriction in subsection (a) and creating the written acknowledgement as prescribed in subdivision (b)(1), this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2017, the public welfare requiring it.

Rep. Gravitt moved that the House concur in Senate Amendment No. 2 to **House Bill No. 2119**, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 90

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2248 -- Budget Procedures - As introduced, prohibits state funds from being expended in support of the office for diversity and inclusion at the University of Tennessee, Knoxville; diverts such funding to a program for placing decals of the national motto on local and state law enforcement vehicles. - Amends TCA Title 9 and Title 49. by *Van Huss, *Sanderson, *Keisling, *Sexton J, *Holt, *Sexton C, *Calfee, *Hill M, *Alexander, *Rogers, *Doss, *Goins, *Hill T, *Powers, *Womick, *Ragan, *McDaniel, *Durham, *Lollar, *Hulsey, *Byrd, *Weaver, *Terry, *Zachary, *Butt, *Lynn, *Sparks. (*SB1912 by *Gardenhire, *Kelsey)

Rep. Van Huss moved that the House non-concur in Senate Amendment No. 1 to House Bill No. 2248, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2399** -- Sexual Offenses - As introduced, increases penalty for statutory rape by an authority figure from Class C felony to Class B felony if more than a four-year age difference; creates Class C felony penalty for statutory rape by an authority figure if less than four-year age difference. - Amends TCA Section 39-13-532. by *Littleton. (SB2611 by *Norris)

Senate Amendment No. 1

AMEND House Bill No. 2399 by deleting all amendatory language in SECTION 1 and substituting instead the following:

(a) Statutory rape by an authority figure is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

- (1) The victim is at least thirteen (13) but less than eighteen (18) years of age;
- (2) The defendant is at least four (4) years older than the victim; and
- (3)

(A) The defendant was, at the time of the offense, in a position of trust, or had supervisory or disciplinary power over the victim by virtue of the defendant's legal, professional, or occupational status and used the position of trust or power to accomplish the sexual penetration; or

(B) The defendant had, at the time of the offense, parental or custodial authority over the victim by virtue of the defendant's legal, professional, or occupational status and used the position to accomplish the sexual penetration.

(b) Statutory rape by an authority figure is a Class B felony.

(c) No person who is found guilty of or pleads guilty to the offense shall be eligible for probation pursuant to § 40-35-303 or judicial diversion pursuant to § 40-35-313.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative H. Brooks

MESSAGE CALENDAR NO. 2, CONTINUED

Rep. Littleton moved that the House concur in Senate Amendment No. 1 to **House Bill No. 2399**, which motion prevailed by the following vote:

Ayes	59
Noes.....	20
Present and not voting.....	1

Representatives voting aye were: Brooks K., Butt, Carr, Carter, Coley, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Marsh, McCormick, McDaniel, McManus, Moody, Pitts, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Swann, Terry, Todd, Travis, Van Huss, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 59

Representatives voting no were: Akbari, Alexander, Beck, Byrd, Camper, Clemmons, Cooper, Daniel, Fitzhugh, Hardaway, Jones, Miller, Parkinson, Pody, Ragan, Shaw, Shepard, Stewart, Turner, Weaver -- 20

Representatives present and not voting were: Lynn -- 1

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

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House Bill No. 1977 -- TennCare - As introduced, requires the bureau of TennCare and the health care financing administration to continue to use technical assistance groups of healthcare providers in developing and implementing any payment reform initiative using episodes of care; requires the bureau to report on recommendations from the groups and actions taken in response to the recommendations in quarterly reports to the general assembly. - Amends TCA Title 4 and Title 71. by *Ramsey. (*SB1722 by *Crowe, *Watson)

Senate Amendment No. 2

AMEND House Bill No. 1977 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "TennCare Omnibus Act of 2016".

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section to be appropriately designated:

In developing or implementing any payment reform initiative involving the use of episodes of care with respect to medical assistance provided under this chapter by the bureau of TennCare or the health care finance and administration (HCFA) of the department of finance and administration, the bureau and HCFA shall report on the use of technical assistance groups of healthcare providers in developing any episode of care. The reports shall include all recommendations made by technical assistance groups throughout the period of implementation of any episode of care. In addition to any other information required in the quarterly report to the general assembly pursuant to § 71-5-104(c), the bureau of TennCare shall summarize in quarterly reports the recommendations of any technical assistance group concerning the payment reform initiative and identify any action taken by the bureau or HCFA to address those recommendations. The bureau and HCFA shall report to the health committee of the house of representatives and the health and welfare committee of the senate by July 1 of each year, beginning in 2016, specifically concerning the use of technical assistance groups, on each recommendation made by those groups, and the response by the bureau or HCFA to each recommendation. This section shall apply to any payment reform initiative utilizing episodes of care, including any initiative receiving a state innovation model initiative grant from the federal centers for medicare and medicaid services.

SECTION 3. Tennessee Code Annotated, Section 71-5-1402(g), is amended by deleting the subsection in its entirety and substituting instead the following:

(g)

(1) The long-term care system shall utilize a global budget for all long-term care services for persons who are elderly or who have physical disabilities that allows funding to follow the person into the most appropriate and cost-effective long-term care setting of their choice,

resulting in a more equitable balance between the proportion of medicaid long-term care expenditures for institutional, i.e., nursing facility, services and expenditures for home and community-based services and supports.

(2) The bureau of TennCare shall report to the general assembly and shall make available to interested persons a separate accounting of long-term care expenditures for:

(A) Nursing facility services;

(B) Home and community-based services made under the CHOICES long-term healthcare program; and

(C) Employment and Community First CHOICES services, under a waiver amendment to the TennCare II demonstration.

(3) The accounting shall, under subdivision (g)(2), include prior fiscal year actual expenditures and projected current fiscal year expenditures no later than February 1 of each year. Projected upcoming fiscal year expenditures and the percentage of nursing facility services and home and community-based services relative to total expenditures for the CHOICES long-term healthcare program shall be provided by June 30 of each year.

SECTION 4. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is further amended by adding the following as a new section to be appropriately designated:

(a) Pursuant to § 56-2-125(d)(2)(B), and no later than October 1, 2016, the deputy commissioner of finance and administration responsible for the TennCare program shall establish a procedure permitting the following to obtain data sets derived from the all payer claims database through the department authorized to access the database for the purposes authorized in § 56-2-125(b)(1) within available resources of the bureau of TennCare:

(1) The department of finance and administration;

(2) The department of health;

(3) The department of mental health and substance abuse services;

(4) The department of intellectual and developmental disabilities; and

(5) Other departments of this state.

(b) Any data retrieved from the database or the managing vendor may only be used for internal purposes of the department. The data shall be

confidential and shall not be a public record for the purposes of title 10, chapter 7. If any department seeks to produce reports based upon the data as public documents, then the department shall submit a request for approval of that use of the data to the Tennessee health information committee.

(c) The bureau of TennCare shall submit an annual report to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate that shall describe the nature and purpose of any requests to utilize data from the all payer claims database submitted to the bureau or the health information committee. Any request for data from departments that cannot be provided within existing resources of the bureau shall be identified in this report. The report shall also describe the disposition made by the Tennessee health information committee of each request to utilize the data and shall detail how each member of the committee voted on each request. The bureau shall submit the report by January 15 of each year.

SECTION 5. Tennessee Code Annotated, Section 71-5-143(b), is amended by deleting the language "eleven (11) members" and substituting the language "thirteen (13) members".

SECTION 6. Tennessee Code Annotated, Section 71-5-143(b), is further amended by deleting the second sentence of the subsection and substituting the following language:

The membership of the advisory commission shall include one (1) representative of the advocacy community; the chair of the health committee of the house of representatives, or the chair's designee; the chair of the health and welfare committee of the senate, or the chair's designee; two (2) representatives from the Tennessee business community; and three (3) representatives from the provider community.

SECTION 7. Tennessee Code Annotated, Section 71-5-2401(b)(5), is amended by deleting the subdivision and substituting the following language:

(5) The pharmacy director and medical director of TennCare; the chair of the health committee of the house of representatives, or the chair's designee; and the chair of the health and welfare committee of the senate, or the chair's designee shall serve as ex officio members of the state TennCare pharmacy advisory committee.

SECTION 8. This act shall take effect July 1, 2016, the public welfare requiring it.

Rep. Ramsey moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1977**, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

A motion to reconsider was tabled.

UNFINISHED BUSINESS

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Senate Bill No. 2109** and have this statement entered in the Journal: Rep. Hulsey.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 813 Reps. McManus, Powers, Coley, Howell, Lollar, Durham, Zachary, Weaver, Rogers, Gravitt and Goins as prime sponsors.

House Bill No. 2156 Reps. Butt, Eldridge, McDaniel, Moody, Weaver and Carter as prime sponsors.

SPONSORS REMOVED

On Motion, Rep. Moody was removed as sponsor of **House Bill No. 2156**.

MESSAGE FROM THE SENATE

April 20, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 675, 890, 891, 892, 893, 894, 895, 896, 897, 898, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947,

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948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 990, 991, 992, 993, 994, 995, 996, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013 and 1014; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 20, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No. 758;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 20, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1270;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 20, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 839, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067 and 1068.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 20, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2663;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2045. The Senate adopted the Conference Committee Report and made it the action of the Senate.

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RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 20, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1882;

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 20, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2045; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 20, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 1069 and 1070.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 516, 528, 663 and 758; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 301, 879, 2342 and 2343; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 20, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 621, 1393, 1469, 1561, 1576, 1587, 1597, 1615, 1677, 1698, 1736, 1759, 1814, 1815, 1850, 1859, 1864, 1951, 1953, 2060, 2240, 2373, 2375, 2537 and 2568; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1633, 2093, 2399, 2430, 2492, 2523 and 2552; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS
April 20, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2142;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS
April 20, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2530;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 514, 1090, 1584, 1609, 1626, 1695, 1753, 1766, 1841, 1937, 1956, 2039, 2049, 2107, 2109, 2228, 2303, 2427, 2488 and 2588; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067 and 1068; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 20, 2016

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MADAM SPEAKER: I am directed to return to the House, House Bill No. 2663; substituted for Senate Bill on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 20, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 621, 1393, 1469, 1561, 1576, 1587, 1597, 1615, 1677, 1698, 1736, 1759, 1814, 1815, 1850, 1859, 1864, 1951, 1953, 2060, 2240, 2373, 2375, 2537 and 2568.

JOE MCCORD, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 93

RECESS

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, April 21, 2016.